

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2616

4
5 By: Representative Dobbins
6
7

For An Act To Be Entitled

9 AN ACT TO SET STANDARDS FOR ARKANSAS PUBLIC
10 SCHOOLS; TO PROVIDE FOR LONGER SCHOOL DAYS; TO
11 PROVIDE FOR LONGER SCHOOL YEARS; TO INCLUDE AFTER
12 SCHOOL CARE AND REMEDIATION PROGRAMS FOR
13 STUDENTS; AND TO PROVIDE FOR THE COST OF
14 EDUCATION; AND FOR OTHER PURPOSES.

Subtitle

15
16 AN ACT TO SET STANDARDS FOR ARKANSAS
17 PUBLIC SCHOOLS; TO PROVIDE FOR LONGER
18 SCHOOL DAYS AND YEARS; TO INCLUDE AFTER
19 SCHOOL CARE AND REMEDIATION PROGRAMS; TO
20 PROVIDE FOR THE COST OF EDUCATION.
21

22
23
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 6-15-202 is repealed.

27 ~~6-15-202. Accreditation—Development of regulations and standards.~~

28 ~~(a) The State Board of Education is authorized and directed to develop~~
29 ~~comprehensive regulations, criteria, and minimum standards to be used by the~~
30 ~~board and the Department of Education in the accreditation of school programs~~
31 ~~in elementary and secondary public schools in this state.~~

32 ~~(b) After the regulations are adopted and implemented by the board,~~
33 ~~standards shall regularly be reviewed by the House and Senate Interim~~
34 ~~Committees on Education at least once every two (2) years, and~~
35 ~~recommendations and advice in regard thereto may be filed by the committees~~
36 ~~with the board for its consideration.~~

VJF579

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SECTION 2. Arkansas Code Title 6, Chapter 15, is amended to add an additional subchapter to read as follows:

6-15-1601. Purpose and Intent.

The 84th General Assembly recognizes the mandate of the Arkansas Supreme Court to provide an equal opportunity for children in the state to obtain an adequate education. By passing House Bill 1115 to create a joint committee to determine what is necessary to provide an adequate education, the General Assembly has set a course to develop a deliberate and organized method of improving the system of education in the state. In his 2001 opinion in Lake View, Chancellor Collins Kilgore noted that there are three (3) elements for an adequate education system; one element being the state must clearly specify its expectations of student achievement. In his final order, Chancellor Kilgore acknowledged that Arkansas currently has that element in place. With that favorable ruling, the General Assembly finds that piecemeal attempts to change standards of accreditation would be counterproductive to the deliberate and organized course set by the General Assembly; and therefore, codification of the State Board of Education's existing Standards of Accreditation of Arkansas public schools will ensure that our schools stay on course until necessary changes can be undertaken in a deliberate, organized, and efficient manner. The key to a standards-based system of education is longitudinal consistency. Dramatically changing the required curriculum would unnecessarily upset that consistency.

6-15-1602. Standards for accreditation of Arkansas public schools.

(a) The provisions as set forth under this subchapter shall be the standards for accreditation of Arkansas public schools and shall repeal the standards for accreditation of Arkansas public schools adopted by the State Board of Education.

(b) This subchapter may be cited as the "Standards For Accreditation Of Arkansas Public Schools".

6-15-1603. Equal educational opportunities.

All school districts' policies and actions shall be nondiscriminatory and shall be in compliance with state and federal laws.

1 6-15-1604. Goals and administration of Arkansas schools - State and
2 national goals.

3 (a) It is well established by history and law that education is a
4 state responsibility.

5 (b) As a framework for school district planning, a set of statewide
6 and national goals for education and a long-term plan to meet these goals
7 have been developed.

8
9 6-15-1605. Goals and administration of Arkansas schools - School
10 district goals.

11 (a)(1) Each school district in Arkansas shall be required to develop,
12 with appropriate staff and community participation, a five-year educational
13 plan. School district goals shall be compatible with state and national
14 educational goals and shall address local needs.

15 (2) The plan shall be filed with and reviewed by the Department
16 of Education annually.

17 (b) Each school district shall provide and publish, in a newspaper
18 with general circulation in the district before November 15 of each school
19 year, a report to the public detailing progress toward accomplishing program
20 goals, accreditation standards, and proposals to correct deficiencies.

21 (c) Each school shall systematically, and at least annually, explain
22 its policies, programs, and goals to the community in a public meeting that
23 provides opportunities for parents and other members of the community to ask
24 questions and make suggestions concerning the school program.

25
26 6-15-1606. School district administration - Operating policies and
27 procedures.

28 Each school board shall adopt written policies for the operation of the
29 school district in accordance with guidelines established by the Department
30 of Education.

31
32 6-15-1607. School district administration - Records and reports.

33 (a) Each school shall maintain all reports and records necessary for
34 effective planning, operation, and education.

35 (b)(1) Each school district shall annually submit a report to the
36 Department of Education appraising its students' performance.

1 (2) The report shall be prepared in accordance with guidelines
2 developed by the Department of Education.

3
4 6-15-1608. School district administration - School boards.

5 (a) Each school board, prior to November 15 of each year, shall hold a
6 public meeting, at a time and place convenient for a majority of the school
7 patrons and employees, to review and discuss its annual report detailing
8 progress toward accomplishing its district's program objectives,
9 accreditation standards, and proposals to correct deficiencies.

10 (b) All accreditation and evaluation studies and reports shall be
11 reported and discussed in a public meeting at a time and place convenient for
12 a majority of the school patrons and employees.

13
14 6-15-1609. School district administration - School goals.

15 (a)(1) The administrators, teachers, other school staff, and parents
16 of each school shall develop an annual school improvement plan to monitor
17 that school's progress and to project its continuing needs.

18 (2) The annual school improvement plan shall be filed with and
19 reviewed by the Department of Education.

20 (b) Each school shall review in-depth each curriculum area at least
21 every five (5) years.

22
23 6-15-1610. Active community involvement.

24 (a) Each school district shall form a coalition of parents,
25 representatives of agencies and institutions, and of business and industry to
26 develop and implement a plan for effective and efficient community
27 involvement in the delivery of comprehensive youth services and support.

28 (b) Each individual school shall investigate and, where feasible,
29 utilize community resources in the instructional program of the school.

30
31 6-15-1611. Curriculum - Course content frameworks.

32 (a)(1) The Department of Education shall appoint committees to write
33 curriculum frameworks based on the adopted Arkansas Student Learning
34 Expectations.

35 (2) Each committee shall consist of teachers and instructional
36 supervisory personnel from public schools assisted by teachers from

1 institutions of higher education.

2 (3) Committees will meet periodically to review, revise, and
 3 update the curriculum frameworks.

4 (b) Each accredited school shall use these curriculum frameworks to
 5 plan instruction leading to student demonstration of the Arkansas content
 6 standards.

7 (c)(1) The Department of Education, with advice from public schools
 8 and institutions of higher education, shall devise an assessment system that
 9 will measure progress toward meeting the content standards expressed in the
 10 Arkansas Curriculum Frameworks.

11 (2) These evaluations shall serve as a major factor in
 12 determining the accreditation status of public schools.

13
 14 6-15-1612. Curriculum - Early childhood education curriculum.

15 The early childhood education curriculum shall be developmentally
 16 appropriate for the age span of the children within the groups and
 17 implemented with attention to the different needs, interests, and
 18 developmental levels of those individual children.

19
 20 6-15-1613. Curriculum - Core curriculum.

21 (a)(1) The core curriculum for grades kindergarten through eight (K-8)
 22 shall encompass all types of developmentally appropriate learning experiences
 23 and provide for differences in rates of learning among children.

24 (2) It shall emphasize reasoning and problem solving,
 25 communicating, connecting such as linking knowledge, skills, and other
 26 understandings within and across disciplines to real-life situations, and
 27 internalizing, such as acting on the learning to make it meaningful, useful,
 28 and worthwhile.

29 (3) Mastery of core concepts and abilities in the following
 30 areas is to be emphasized:

31 (A) For students in grades kindergarten through four (K-4)
 32 mastery of core concepts and abilities in the following areas is to be
 33 emphasized:

34 (i) Language arts, including:

35 (a) Reading;

36 (b) Writing; and

- 1 (c) Listening, speaking, viewing;
- 2 (ii) Mathematics, including:
- 3 (a) Number sense, properties, and operations;
- 4 (b) Measurement;
- 5 (c) Geometry and spatial sense;
- 6 (d) Data analysis and statistics; and
- 7 (e) Algebra and functions;
- 8 (iii) Social studies, including:
- 9 (a)(1) History and culture of Arkansas,
- 10 including a unit at each grade level with emphasis at grade four (4);
- 11 (2) The nation; and
- 12 (3) The world, which shall include
- 13 foreign language experiences;
- 14 (b) Geography;
- 15 (c) Economics; and
- 16 (d) Civic education;
- 17 (iv) Science, including:
- 18 (a) Life science;
- 19 (b) Earth and space science;
- 20 (c) Physical sciences, including physics and
- 21 chemistry; and
- 22 (d) Environmental education;
- 23 (v) Tools for learning, including:
- 24 (a) Technical skills including, research and
- 25 information skills, use of computers and calculators; and
- 26 (b) Data gathering including, use of data
- 27 banks, atlases, dictionaries, almanacs, networks, news sources, and
- 28 interviews;
- 29 (vi) Fine arts, including:
- 30 (a) Visual arts instruction, appreciation, and
- 31 application; and
- 32 (b) Performing arts instruction, appreciation,
- 33 and application;
- 34 (vii) Practical living skills or career exploration;
- 35 and
- 36 (viii) Health and safety Education and physical

1 education;

2 (B) For students in grades five through eight (5-8),
 3 mastery of core concepts and abilities in the following areas is to be
 4 emphasized:

5 (i) Language Arts, including:

- 6 (a) Reading;
- 7 (b) Writing; and
- 8 (c) Listening, speaking, and viewing;

9 (ii) Mathematics, including:

- 10 (a) Number sense, properties, and operations;
- 11 (b) Measurement;
- 12 (c) Geometry and spatial sense;
- 13 (d) Data analysis and statistics; and
- 14 (e) Algebra and functions;

15 (iii) Science, including:

- 16 (a) Life science;
- 17 (b) Earth and space science;
- 18 (c) Physical sciences, which may include
 19 physics and chemistry; and
- 20 (d) Environmental education;

21 (iv) Social Studies, including:

- 22 (a)(1) History and culture of Arkansas
 23 including a unit at grades five (5) and six (6) with emphasis at grade five
 24 (5);
- 25 (2) The nation; and
- 26 (3) The world, which shall include
 27 including foreign language experiences;

- 28 (b) Geography;
- 29 (c) Economics; and
- 30 (d) Civic education;

31 (v) Physical education;

32 (vi) Fine arts, including:

- 33 (a) Visual arts instruction, appreciation, and
 34 application; and
- 35 (b) Performing arts instruction, appreciation,
 36 and application;

- 1 (vii) Health and safety;
- 2 (viii) Tools for learning, including:
- 3 (a) Technical skills, including:
- 4 (1) Research and information skills; and
- 5 (2) Use of computers and calculators;
- 6 (b) Data gathering, including use of data
- 7 banks, atlases, dictionaries, almanacs, networks, news sources, and
- 8 interviews; and
- 9 (ix) Career and technical education.
- 10 (C) Each school shall be encouraged to offer in the
- 11 seventh (7th) and eighth (8th) grades, instruction in reading and mathematics
- 12 skills to assist those students who need additional instruction to make
- 13 satisfactory progress in their required courses;
- 14 (D) A unit of Arkansas history shall be taught as a social
- 15 studies subject at each elementary grade level in every public elementary
- 16 school in this state with greater emphasis at the fourth (4th) and fifth (5th)
- 17 grade levels, and at least one (1) full semester of Arkansas history shall be
- 18 taught to all students at the seventh (7th), eighth (8th), ninth (9th), tenth
- 19 (10th), eleventh (11th), or twelfth (12th) grade level in every public
- 20 secondary school in this state.
- 21 (E)(i) It is strongly recommended that schools offer at
- 22 least one (1) level I foreign language course and Algebra I;
- 23 (ii) These traditionally ninth-grade courses may be
- 24 counted as credit toward high school graduation.
- 25 (F) For student in grades nine through twelve (9-12), the
- 26 following courses of thirty-eight (38) units shall be taught, every year
- 27 unless otherwise indicated, by an accredited high school:
- 28 (i) Six (6) units of language arts, including:
- 29 (a) Four (4) units English;
- 30 (b) One (1) unit oral communications or one-
- 31 half (½) unit oral communications and one-half (½) unit drama;
- 32 (c) One (1) unit journalism, this course may
- 33 be offered every other year; and
- 34 (d) Other options as approved by the
- 35 Department of Education;
- 36 (ii) Five (5) units of science, including:

- 1 (a) One (1) unit biology;
- 2 (b) One (1) unit chemistry, this course may be
- 3 offered every other year;
- 4 (c) One (1) unit physics, this course may be
- 5 offered every other year; and
- 6 (d) Other options as approved by the
- 7 Department of Education;
- 8 (iii) Six (6) units of mathematics, including:
- 9 (a) One (1) unit of algebra I;
- 10 (b) One (1) unit of geometry;
- 11 (c) One (1) unit of algebra II, this course
- 12 may be offered every other year;
- 13 (d) One (1) unit of pre-calculus mathematics
- 14 to include trigonometry, this course may be offered every other year; and
- 15 (e) Other options as approved by the
- 16 Department of Education;
- 17 (iv) Two (2) units of foreign languages;
- 18 (v) Three and one-half (3½) units of fine arts,
- 19 including:
- 20 (a) One (1) unit of art;
- 21 (b) One (1) unit of instrumental music;
- 22 (c) One (1) unit of vocal music; and
- 23 (d) One-half (½) unit survey of fine arts or
- 24 an advanced art or music course, this course may be offered every other year;
- 25 (vi) One (1) unit of computer applications with an
- 26 emphasis on current applications, including:
- 27 (a) Word processing;
- 28 (b) Spreadsheets;
- 29 (c) Databases;
- 30 (d) Graphics; and
- 31 (c) Telecommunications;
- 32 (vii) Four (4) units of social studies, including:
- 33 (a) One (1) unit American history each year
- 34 with emphasis on 20th Century America;
- 35 (b) One (1) unit world history;
- 36 (c) One-half (½) civics or government;

1 (d) One-half (½) of Arkansas history, if not
 2 taught in grades seven (7) or eight (8); and

3 (e) Other options as approved by the
 4 Department of Education;

5 (viii) One-half (½) unit health and safety education
 6 and physical education; including:

7 (a) One (1) unit physical education; and

8 (b) One-half (½) unit health and safety
 9 education;

10 (ix) Nine (9) units of career and technical
 11 education, with no less than eight (8) units taught every year;

12 (x) A minimum of three (3) programs of study
 13 selected from three (3) different occupational and technical programs offered
 14 annually from the following list:

15 (a) Agriculture education;

16 (b) Business technology;

17 (c) Health occupations;

18 (d) Home economics education;

19 (e) Marketing technology;

20 (f) Trade, industrial, and technical
 21 education; and

22 (g) Work-based learning or apprenticeship;

23 (xi) The course offerings should include appropriate
 24 advanced placement courses; and

25 (xii) Additional foreign language courses such as
 26 the level III and IV of the same foreign language and other foreign languages
 27 should be included.

28
 29 6-15-1614. Instruction - Required time for instruction and school
 30 calendar.

31 (a) Student-teacher interaction time shall be for a minimum of one
 32 hundred seventy-eight (178) days, except as waived by the Department of
 33 Education for professional development.

34 (b)(1) All public school teacher and administrator contracts for
 35 employment in an elementary, secondary, and vocational shall be a minimum of
 36 one hundred eighty-five (185) days.

1 (2) Contracts between public high school and vocational
 2 agriculture teachers shall be on a twelve-month basis.

3 (c) At least thirty (30) hours shall be used for professional
 4 development and in-service training and at least two (2) days shall be used
 5 for parent-teacher conferences.

6 (d) The planned instructional time in each school day shall not
 7 average less than six (6) hours per day or thirty (30) hours per week.

8
 9 6-15-1615. Instruction - Class size and teaching load.

10 (a) Early childhood education programs shall have no more than ten
 11 (10) students to one (1) teacher in a classroom or no more than twenty (20)
 12 students to one (1) teacher and a qualified adult aide.

13 (b) Kindergarten shall have no more than twenty (20) students to one
 14 (1) teacher in a classroom. However, kindergarten class maximum may be no
 15 more than twenty-two (22) with a one (1) half-time instructional aide being
 16 employed for those classes.

17 (c) The average student to teacher ratio for grades one through three
 18 (1-3) in a school district shall be no more than twenty-three (23) students
 19 per teacher in a classroom. There shall be no more than twenty-five (25)
 20 students per teacher in any classroom.

21 (d) The average student to teacher ratio for grades four through six
 22 (4-6) in a school district shall be no more than twenty-five (25) students
 23 per teacher in a classroom, and shall be no more than twenty-eight (28)
 24 students per teacher in any classroom.

25 (e)(1) In grades seven through twelve (7-12), a teacher shall not be
 26 assigned more than one hundred fifty (150) students; and

27 (2) An individual academic class shall not exceed thirty (30)
 28 students, however, in exceptional cases or for courses that lend themselves
 29 to large group instruction, these ratios may be increased.

30
 31 6-15-1616. Instruction - Instructional materials.

32 (a) School districts shall adopt instructional materials that provide
 33 complete coverage of a subject as described in that subject's curriculum
 34 frameworks and that fit the achievement levels of the students assigned to
 35 each teacher.

36 (b) Each school may utilize purchasing agreements arranged by the

1 Department of Education to achieve the greatest economy in spending state
 2 funds.

3
 4 6-15-1617. Instruction - Discipline.

5 (a) Guidelines for the development of student discipline policies
 6 shall be established by the Department of Education. Each school district
 7 shall adopt written discipline policies consistent with those guidelines that
 8 include a code of student behavior.

9 (b) Each district's written policies shall be filed with the
 10 Department of Education.

11 (c) Local districts and individual schools shall involve parents,
 12 staff, and students in the formulation and review of their student discipline
 13 policies, rules, and procedures.

14 (d) Schools shall inform students and parents of the rules and
 15 procedures by which the school is governed. Schools shall make the students
 16 aware of the behavior that will call for disciplinary action, as well as the
 17 types of corrective actions that may be imposed.

18 (e) Students and parents shall acknowledge that they have received and
 19 understand the school's discipline policies by a signed statement. The
 20 school shall document procedures and methods used to inform parents and
 21 students of the policy.

22 (f) Teachers and administrators, classified school employees, and
 23 volunteers shall be provided with appropriate student discipline training
 24 under § 6-18-501, § 6-18-502, and § 6-18-506.

25
 26 6-15-1618. Instruction - Extracurricular activities.

27 (a) Each school district shall adopt a written policy on
 28 extracurricular and non-instructional activities and their appropriate place
 29 in the school program.

30 (b) The policy shall limit and control interruptions of instructional
 31 time in the classroom and the number of absences for such activities.

32
 33 6-15-1619. Instruction - Requirements for participation in
 34 extracurricular activities.

35 Each school district shall adopt a written policy consistent with
 36 applicable State Board of Education rules and regulations, specifying the

1 requirements students must meet to be eligible to participate in
 2 extracurricular activities.

3
 4 6-15-1620. Instruction - Homework and independent study skills.

5 Each school district shall adopt a written policy for appropriate and
 6 meaningful homework. The policy shall promote the development of students'
 7 independent study skills and work to be done outside the classroom which will
 8 reinforce and strengthen academic skills, broaden the educational experiences
 9 of students, and relate those experiences to the real life of the community.
 10 Parents shall be notified of the policy at the beginning of each school year.

11
 12 6-15-1621. Attendance and enrollment - Mandatory attendance.

13 All children who are ages five (5) through seventeen (17) on or by
 14 September 15 are required to be in school that school year with the exception
 15 of:

16 (1) Five-year-old children for whom kindergarten has been waived by
 17 the parent, guardian, or person having custody or charge;

18 (2) Students who have received a high school diploma or its
 19 equivalent; or

20 (3) Students who are enrolled in a postsecondary vocational-technical
 21 institution, a community college, or a two-year or four-year institution of
 22 higher education.

23
 24 6-15-1622. Attendance and enrollment - Initial enrollment.

25 A birth certificate, social security number, or other documentation, as
 26 provided by law, shall be required to enroll in school.

27
 28 6-15-1623. Attendance and enrollment - Early childhood education
 29 programs.

30 (a) It is recommended that school districts provide the opportunity for
 31 each child age three (3) on or before September 15, to enroll in an approved
 32 early childhood education program.

33 (b) No parent or guardian shall be required to enroll a child in an
 34 early childhood education program at age three (3).

35
 36 6-15-1624. Attendance and enrollment - Kindergarten.

1 (a) Each school district must provide a full-day kindergarten for each
 2 child age five (5) on or before September 15.

3 (b) A parent or guardian shall sign a waiver if they elect not to
 4 enroll a child in kindergarten at age five (5).

5 (c) Any six-year-old child who has not completed a state accredited
 6 kindergarten program prior to public school enrollment shall be evaluated by
 7 the school district to determine whether placement for the child shall be in
 8 kindergarten or the first (1st) grade.

9
 10 6-15-1625. Attendance and enrollment - Immunization requirements.

11 All students shall meet immunization requirements established by the
 12 State Board of Education. All enrolling kindergarten students shall furnish
 13 evidence of a comprehensive and developmental preschool examination.

14
 15 6-15-1626. Student performance - Performance of all students.

16 Schools shall be responsible for assessing each student's progress at
 17 each grade level in acquiring mastery of the competencies, skills, and other
 18 subjects required by law and Arkansas Comprehensive Testing, Assessment, and
 19 Accountability Program regulations. Assessment data may include performance
 20 assessments, competency test scores, standardized test scores, subject matter
 21 mastery test scores, and observations of teachers and parents or guardians.

22
 23 6-15-1627. Student performance - Grading.

24 (a) Grades assigned to students for performance in a course shall
 25 reflect only the extent to which a student has achieved the expressed
 26 academic objectives of the course.

27 (b) Grades that reflect other educational objectives such as the
 28 student learning expectations contained in the curriculum frameworks may also
 29 be given.

30
 31 6-15-1628. Student performance - Special education students.

32 Students with special needs shall have equal access to programs that
 33 meet the criteria for their identified individualized education program and
 34 shall receive services in the least restrictive environment that meets their
 35 needs.

36

1 6-15-1629. Student performance - School reporting of student
 2 performance.

3 (a) Each local district shall adopt a written policy requiring
 4 teachers to communicate personally with the parent or guardian of each
 5 student during the school year to discuss the student's academic progress and
 6 requiring more frequent communication with the parent or guardian of students
 7 not performing at the level expected for their grade.

8 (b) Elementary school teachers shall meet with the parent or guardian
 9 of each student at least once a semester through a parent-teacher conference,
 10 telephone conference, or a home visit.

11 (c)(1) All grade level conferences with a parent or guardian shall be
 12 scheduled at a time and place to best accommodate those participating in the
 13 conference.

14 (2) The school shall document participation or nonparticipation
 15 in required conferences.

16 (3) If a student is to be retained at any grade level, notice of
 17 retention and the reasons for retention shall be communicated promptly in a
 18 personal conference.

19
 20 6-15-1630. Student performance - Transfer between schools.

21 (a) Any student transferring from a school accredited by the
 22 Department of Education to another school accredited by the Department of
 23 Education shall be placed into the same grade the student would have been in
 24 had the student remained at the former school.

25 (b) Any student transferring from home school or a school that is not
 26 accredited by the Department of Education to a school that is accredited by
 27 the Department of Education shall be evaluated by the staff of that
 28 accredited school to determine that student's proper placement in the
 29 accredited school.

30
 31 6-15-1631. School performance.

32 Data from the performance indicators shall be used by the Department of
 33 Education and schools in establishing goals and objectives for school
 34 improvement.

35
 36 6-15-1632. Graduation requirements.

1 (a) At least a total of twenty-one (21) units earned in grades nine
 2 through twelve (9-12) shall be required for high school graduation. Only one
 3 (1) of these units may be in physical education.

4 (b) A unit of credit shall be defined as the credit given for a
 5 course that meets for a minimum of one hundred twenty (120) clock hours. A
 6 minimum average eight-hour day or minimum average forty (40) hour week is
 7 required.

8 (c)(1) Beginning in the school year 2007-2008, thirty (30) units of
 9 credit will be required for graduation.

10 (2) These requirements shall include the following:

11 (A) The common core of fifteen (15) units which shall
 12 include:

13 (i) Four (4) units of English;

14 (ii) One-half (½) unit of oral communications;

15 (iii) Three (3) units of social studies, including:

16 (a) One (1) unit of world history;

17 (b) One (1) unit of U. S. history; and

18 (c) One-half (½) unit of civics or government;

19 (iv) Three (3) units of mathematics which must build
 20 on the base of algebra and geometry knowledge and skills, including:

21 (a) One (1) unit of algebra or its equivalent;

22 and

23 (b) One (1) unit of geometry or its

24 equivalent; or

25 (c) A two-year algebra equivalent or a two-
 26 year geometry equivalent may be counted as two units of the three-unit
 27 requirement;

28 (v) Three (3) units of science, including:

29 (a) At least one (1) unit of biology or its
 30 equivalent; and

31 (b) One (1) unit of a physical science;

32 (vi) One-half (½) unit of physical education;

33 (vii) One-half (½) unit of health and one-half (½)
 34 unit safety; and

35 (viii) One-half (½) unit of fine arts; and

36 (B)(i) Career focus units.

1 (ii) All units in the career focus requirement shall
 2 be established through guidance and counseling at the local school district
 3 based on the students contemplated work aspirations.

4 (iii) Career focus courses shall conform to local
 5 district policy and reflect state frameworks through course sequencing and
 6 career course concentrations where appropriate.

7 (d)(1) Local school districts may require additional units for
 8 graduation beyond the fifteen (15) common core and the career focus units.

9 (2) These may be in academic or technical areas, or both.

10 (e) All the common core, career focus, and elective units must total
 11 at least twenty-one (21) units to graduate.

12
 13 6-15-1633. Personnel - School district superintendent.

14 (a) Each school district shall employ a full-time superintendent if
 15 enrollment exceeds three hundred (300).

16 (b) A full-time superintendent may, at the discretion of the local
 17 school district, teach no more than two (2) classes per day.

18
 19 6-15-1634. Personnel - Principals.

20 (a) Each school shall employ at least a half-time principal.

21 (b) A full-time principal shall be employed if a school's enrollment
 22 reaches three hundred (300).

23 (c) A school district superintendent may be permitted to serve as a
 24 half-time principal, when district enrollment is less than three hundred
 25 (300), if the superintendent is appropriately certified and is not already
 26 teaching classes.

27 (d) Schools with an enrollment exceeding five hundred (500) shall
 28 employ at least one (1) full-time principal and a half-time assistant
 29 principal, instructional supervisor, or curriculum specialist.

30
 31 6-15-1635. Personnel - Licensure and renewal.

32 (a) All administrative, teaching, and other personnel shall meet
 33 appropriate state licensure and renewal requirements.

34 (b) Personnel holding a probationary license or any other such license
 35 which results in an accreditation violation may be used in emergencies only
 36 and may not be replaced by a person not fully qualified for the position.

1 unless appropriate documentation is provided to the Department of Education
 2 describing efforts to hire a qualified individual.

3 (c) Licensure renewal in a subject area shall require intervening
 4 educational experience related to that subject area.

5 (d) Licensure renewal for administrative and other personnel shall
 6 require appropriate intervening educational experience related to their
 7 responsibilities.

8 (e) Issuance and revocation of a license shall be in accordance with
 9 Arkansas law and State Board of Education regulations promulgated for the
 10 action.

11 (f) The state licensure system shall include a process designed to
 12 provide qualified individuals applying for a license as an alternative to
 13 completion of a traditional teacher education program.

14
 15 6-15-1636. Personnel - Professional development and in-service
 16 training.

17 (a)(1) Each school district shall develop and implement a plan for
 18 professional development and in-service training based on local educational
 19 needs and state educational goals.

20 (2) The plan shall provide education and training for school
 21 board members, school and district administrators, teachers, and support
 22 staff on a continuing and regular basis throughout the school year.

23 (3) Teachers shall be involved in the development of the plan
 24 for their own in-service education.

25 (4) All programs for professional development and in-service
 26 training shall be evaluated by the participants in each program.

27 (b)(1) Each school district shall have flexibility in establishing
 28 plans for professional development and in-service training, provided the
 29 plans meet standards for in-service education as developed by the Department
 30 of Education.

31 (2) A minimum of thirty (30) hours of professional development
 32 is required for teachers and administrators annually.

33
 34 6-15-1637. Support services.

35 (a) Support services shall be designed to be comprehensive and
 36 integral to the process of schooling and the development of all students.

1 (b) Each school district for each school building site shall develop
 2 and implement a written plan, as set forth in laws and regulations.

3 (c) The plans shall be based upon the needs identified by parents,
 4 teachers, principals, students, and other agencies with which the school
 5 district works.

6 (d) Further, the plan shall be incorporated into the comprehensive
 7 school improvement plan for each site.

8
 9 6-15-1638. Support services - Guidance and counseling.

10 (a) Each school shall provide a developmentally appropriate guidance
 11 program to aid students in educational, personal, social, and career
 12 development.

13 (b) Each school shall provide supportive personnel and appropriate
 14 facilities to ensure effective counseling to meet individual needs of
 15 students.

16 (c) Each school shall assign appropriate certified counselor staff
 17 with the district being required to maintain an overall ratio of one (1)
 18 counselor to four hundred fifty (450) students.

19
 20 6-15-1639. Support services - Media services.

21 (a) Sufficient resources shall be budgeted and spent yearly for
 22 purchasing and maintaining an appropriate, current media collection.

23 (b) A process to provide for input from teachers, parents, and
 24 students in the acquisition of instructional materials shall be implemented.
 25 These materials shall enhance and support the goals of the school improvement
 26 plan.

27 (c)(1) The changing role of the library media center shall support
 28 technology as a tool for learning.

29 (2) Each school with less than three hundred (300) students
 30 enrolled shall employ at least a half-time certified library media
 31 specialist.

32 (3) A school with three hundred (300) or more students enrolled
 33 shall employ a full-time certified library media specialist.

34 (4) Schools enrolling fifteen hundred (1,500) or more students
 35 shall employ two full-time certified library media specialists.

36 (5) For districts with enrollment less than five hundred (500),

1 a full-time library media specialist may serve the district.

2 (6) The library media specialist shall ensure that access to
 3 records and resource data bases shall be available to students.

4 (7) Media specialist shall assist students in the development
 5 and use of research skills.

6 (d)(1) The school media collection shall consist of a balance of
 7 print, nonprint, and electronic media adequate in quality and quantity to
 8 meet the needs of the developmentally appropriate curricular program.

9 (2) The minimum book collection, exclusive of textbooks, shall
 10 be three thousand (3,000) volumes, or at least eight (8) books per student
 11 enrolled, whichever figure is greater.

12 (3) A minimum technology requirement will be one (1) computer
 13 per media center with multimedia and networking capacity for administrative
 14 purposes only.

15
 16 6-15-1640. Support services - Health and safety services.

17 (a)(1) Each school district shall have a health services program under
 18 the direction of a licensed nurse.

19 (2) The program shall include screening, referral, and follow-up
 20 procedures for all students.

21 (b) Each school shall provide facilities, equipment, and materials
 22 necessary for operation of a school health services program.

23 (c) The school health services program shall provide and maintain
 24 current health appraisal records for all students in accordance with
 25 guidelines developed by the Department of Education.

26 (d) Each school shall take proper measures to ensure the safety of its
 27 students and protect against injuries which may occur in or on the school
 28 facilities or site.

29 (e) In accordance with § 6-18-1005, health services shall include but
 30 not be limited to:

31 (1) Students with special health care needs, including
 32 chronically ill, medically fragile, technology dependent, and students with
 33 other health impairments shall have an individualized health care plan;

34 (2) Invasive medical procedures required by students and
 35 provided at school shall be performed by trained, licensed personnel who are
 36 licensed to perform the task, and the regular classroom teacher shall not

1 perform these tasks; and

2 (3) Custodial health care services required by students under an
 3 individualized healthcare plan shall be provided by trained school employees
 4 other than the regular classroom teachers.

5
 6 6-15-1641. Special education.

7 Special education programs and special schools shall be accredited in
 8 accordance with applicable laws and rules and regulations adopted by the
 9 State Board of Education.

10
 11 6-15-1642. Gifted and talented education.

12 (a) Each school district shall develop procedures to identify gifted
 13 and talented students in accordance with guidelines established by the
 14 Department of Education.

15 (b) Each school district shall provide educational opportunities for
 16 students identified as gifted and talented appropriate to their ability.

17 (c) Each school shall use procedures to evaluate the effectiveness of
 18 the provisions of these educational opportunities.

19
 20 6-15-1643. Supplementary educational opportunities.

21 (a) Each school district shall develop and implement programs which
 22 take advantage of educational opportunities outside the traditional
 23 classroom.

24 (b) Each school district shall provide opportunities for qualified
 25 students to enroll in courses at institutions of higher education.

26 (c) Each school district shall provide appropriate an alternative
 27 program for students who are identified as requiring an alternative program
 28 to continue their education.

29 (d) Each school district should provide opportunities for summer
 30 school and adult education programs.

31
 32 6-15-1644. Facilities and equipment.

33 (a) School facilities shall be planned and constructed in accordance
 34 with the laws of the State of Arkansas and the regulations of the Arkansas
 35 Department of Health, the office of the State Fire Marshall, and the
 36 Department of Education.

1 (b) Each room shall be furnished with equipment and instructional
 2 materials necessary to provide the environment and working conditions
 3 appropriate for subjects or activities assigned.

4
 5 6-15-1645. Auxiliary Services.

6 Auxiliary services, such as transportation and food services, shall be
 7 provided in accordance with applicable laws, regulations, and guidelines
 8 developed by the Department of Education.

9
 10 6-15-1646. Cooperation among school districts.

11 (a) School districts may comply with these standards through
 12 cooperative efforts among themselves.

13 (b) All plans for cooperation among school districts and institutions
 14 of higher learning for the purpose of complying with these standards shall be
 15 submitted for approval to the Department of Education.

16
 17 6-15-1647. Accreditation of schools - Compliance with standards.

18 A school shall be accredited on the basis of its complying with these
 19 standards and state law related to these standards.

20
 21 6-15-1648. Accreditation of schools - Department of education
 22 guidelines.

23 (a) The Department of Education shall prepare guidelines to be used in
 24 the evaluation of schools to determine whether they are in compliance with
 25 these standards.

26 (b) The guidelines will provide for the design and format for reports
 27 required to be submitted to the Department of Education to indicate the
 28 extent to which school districts and schools are in compliance.

29 (c) The guidelines will include criteria for measuring each standard
 30 and the documentation required to indicate compliance with the standard.

31 (d) Required reports will be submitted to the Department of Education
 32 by October 15 of each year.

33
 34 6-15-1649. Accreditation of schools - Accreditation process.

35 (a) The Department of Education shall annually review all reports and
 36 investigate any suspected deficiencies in meeting standards.

1 (b) All written complaints charging violations of standards received
 2 by the Department of Education shall be investigated. Each year the
 3 Department of Education shall make an on-site visit to a selected number of
 4 school districts and review the schools for compliance with the standards.

5 (c) The Department of Education shall notify all school districts and
 6 schools not meeting the standards for accreditation of deficiencies by June
 7 15 of each year.

8
 9 6-15-1650. Accreditation of schools - Schools falling below standards.

10 (a) Any school, that falls below current minimum standards for
 11 accreditation, as determined by the Department of Education, shall be
 12 classified as probationary.

13 (b)(1) School districts shall be notified of a school's probationary
 14 status and advised that the school will be classified as probationary for no
 15 more than two (2) school years, after which time they shall be classified as
 16 not accredited.

17 (2) Schools classified as not accredited are subject to
 18 dissolution and annexation under § 6-15-206.

19 (c) The Department of Education shall review pertinent information
 20 from every school district at least every five (5) years to ensure that the
 21 district and schools are in compliance with current standards for
 22 accreditation.

23 (d)(1) A comprehensive evaluation shall be conducted in accordance
 24 with guidelines established by the Department of Education, i.e., with the
 25 Department of Education's prescribed procedures and school improvement
 26 planning processes.

27 (2) The Department of Education shall use teams of evaluators
 28 that may include representatives from the Department of Education, colleges
 29 and universities, and teachers and administrators from other districts.

30 (3) The Department of Education shall report the conclusions of
 31 the evaluation team to the local school within thirty (30) days, which shall
 32 conform to Standards Review and the Arkansas Consolidated School Improvement
 33 Plan.

34 (e)(1) The Department of Education shall provide school improvement
 35 teams to local school districts needing assistance in meeting the standards
 36 or if it is determined a school has deficiencies.

1 (2) The school improvement team shall recommend action that the
 2 school should take to improve its program and eliminate deficiencies.

3
 4 6-15-1651. Accreditation of schools - Right of appeal.

5 If a district or school believes the Department of Education has
 6 improperly determined that any school in the district fails to meet standards
 7 for accreditation, the school district shall have a right to appeal as set
 8 forth under § 6-15-203(b).

9
 10 6-15-1652. No school district that is out of compliance with the
 11 requirements under this section, may receive funding from the public school
 12 fund.

13
 14 SECTION 2. Arkansas Code § 26-52-302, pertaining to additional gross
 15 receipts tax, is amended to add a new subsection to read as follows:

16 (d)(1) Beginning July 1, 2003, there is levied an additional excise tax
 17 of seven-eighths of one percent (7/8 of 1%) upon all taxable sales of
 18 property and services subject to the tax levied by the Arkansas Gross
 19 Receipts Act of 1941, as amended, § 26-52-101 et seq., excluding food and
 20 food ingredients as set forth under subdivision (d)(1) through (3) of this
 21 subsection.

22 (2) The tax shall be collected, reported, and paid in the same
 23 manner and at the same time as is prescribed by the Arkansas Gross Receipts
 24 Act of 1941, as amended, § 26-52-101 et seq., for the collection, reporting,
 25 and payment of Arkansas gross receipts taxes.

26 (3) The tax collected under this subsection shall be dedicated
 27 to kindergarten through grade twelve (K-12) educational purposes as
 28 appropriated by the General Assembly.

29 (4)(A) The gross receipts derived from the sale of food and food
 30 ingredients shall be exempt from the additional excise tax of seven-eighths
 31 of one percent (7/8 of 1%) under subdivision (d)(1) of this section.

32 (B) As used in this section:

33 (i)(a) "Candy" means a preparation of sugar, honey,
 34 or other natural or artificial sweeteners in combination with chocolate,
 35 fruits, nuts, or other ingredients or flavorings in the form of bars, drops,
 36 or pieces.

1 (b) "Candy" shall not include any preparation
2 containing flour and shall require no refrigeration;

3 (ii) "Dietary supplement" means any product, other
4 than "tobacco," intended to supplement the diet that:

5 (a) Contains one or more of the following
6 dietary ingredients:

7 (1) A vitamin;

8 (2) A mineral;

9 (3) An herb or other botanical;

10 (4) An amino acid;

11 (5) A dietary substance for use by
12 humans to supplement the diet by increasing the total dietary intake; and

13 (6) A concentrate, metabolite,
14 constituent, extract, or combination of any ingredient described in this
15 subdivision (d)(3)(B)(ii) of this section; and

16 (b) Is intended for ingestion in tablet,
17 capsule, powder, softgel, gel cap, or liquid form, or if not intended for
18 ingestion in such a form, is not represented as conventional food, and is not
19 represented for use as a sole item of a meal or of the diet; and

20 (c) Is required to be labeled as a dietary
21 supplement, identifiable by the "Supplemental Facts" box found on the label
22 and as required pursuant to 21 C.F.R § 101.36;

23 (iii)(a) "Food and food ingredients" means:

24 (1) Substances, whether in liquid,
25 concentrated, solid, frozen, dried, or dehydrated form, that are sold for
26 ingestion or chewing by humans and are consumed for their taste or
27 nutritional value;

28 (2) Candy and soft drinks;

29 (3) Food sold in an unheated state by
30 weight or volume as a single item;

31 (4) Bakery items, including bread,
32 rolls, buns, biscuits, bagels, croissants, pastries, donuts, Danish, cakes,
33 tortes, pies, tarts, muffins, bars, cookies, tortillas.

34 (b) "Food and food ingredients" do not include
35 alcoholic beverages, dietary supplements, prepared foods, food sold through
36 vending machines or tobacco;

1 (iv) "Food sold through vending machines" means food
2 dispensed from a machine or other mechanical device that accepts payment;

3 (v)(a) "Prepared food" means:

4 (1) Food sold in a heated state or
5 heated by the seller;

6 (2) Two or more food ingredients mixed
7 or combined by the seller for sale as a single item; or

8 (3) Food sold with eating utensils
9 provided by the seller, including plates, knives, forks, spoons, glasses,
10 cups, napkins, or straws. A plate does not include a container or packaging
11 used to transport the food.

12 (b) "Prepared food" does not include:

13 (1) Food that is only cut, repackaged,
14 or pasteurized by the seller; and,

15 (2) Eggs, fish, meat, poultry, and foods
16 containing these raw animal foods requiring cooking by the consumer as
17 recommended by the Food and Drug Administration in chapter 3, part 401.11 of
18 its Food Code delegation so as to prevent food borne illnesses;

19 (vi)(a) "Soft drinks" means non-alcoholic beverages that
20 contain natural or artificial sweeteners.

21 (b) "Soft drinks" do not include beverages that
22 contain milk or milk products, soy, rice or similar milk substitutes, or
23 greater than fifty percent (50%) of vegetable or fruit juice by volume; and

24 (vii) "Tobacco" means cigarettes, cigars, chewing or pipe
25 tobacco, or any other item that contains tobacco.

26
27
28 SECTION 2. Arkansas Code § 26-53-107, pertaining to additional use
29 taxes, is amended to add a new subsection to read as follows:

30 (d)(1) Beginning July 1, 2003, there is levied an additional excise
31 tax of seven-eighths of one percent (7/8 of 1%) upon all tangible personal
32 property subject to the tax levied by the Arkansas Compensating Tax Act of
33 1949, as amended, § 26-53-101 et seq.

34 (2) The tax shall be collected, reported, and paid in the same
35 manner, and at the same time, as is prescribed by the Arkansas Compensating
36 Act of 1949, as amended, § 26-53-101 et seq., for the collection, reporting,

1 and payment of Arkansas compensating taxes.

2 (3) The tax collected under this subsection shall be dedicated
 3 to kindergarten through grade twelve (K-12) educational purposes as
 4 appropriated by the General Assembly.

5 (4)(A) The gross receipts derived from the sale of food and food
 6 ingredients shall be exempt from the additional excise tax of seven-eighths
 7 of one percent (7/8 of 1%) under subdivision (d)(1) of this section.

8 (B) As used in this section:

9 (i)(a) "Candy" means a preparation of sugar, honey,
 10 or other natural or artificial sweeteners in combination with chocolate,
 11 fruits, nuts, or other ingredients or flavorings in the form of bars, drops,
 12 or pieces.

13 (b) "Candy" shall not include any preparation
 14 containing flour and shall require no refrigeration;

15 (ii) "Dietary supplement" means any product, other
 16 than "tobacco," intended to supplement the diet that:

17 (a) Contains one or more of the following
 18 dietary ingredients:

19 (1) A vitamin;

20 (2) A mineral;

21 (3) An herb or other botanical;

22 (4) An amino acid;

23 (5) A dietary substance for use by
 24 humans to supplement the diet by increasing the total dietary intake; and

25 (6) A concentrate, metabolite,
 26 constituent, extract, or combination of any ingredient described in this
 27 subdivision (d)(3)(B)(ii) of this section;

28 (b) Is intended for ingestion in tablet,
 29 capsule, powder, softgel, gel cap, or liquid form, or if not intended for
 30 ingestion in such a form, is not represented as conventional food, and is not
 31 represented for use as a sole item of a meal or of the diet; and

32 (c) Is required to be labeled as a dietary
 33 supplement, identifiable by the "Supplemental Facts" box found on the label
 34 and as required pursuant to 21 C.F.R § 101.36;

35 (iii)(a) "Food and food ingredients" means:

36 (1) Substances, whether in liquid,

1 concentrated, solid, frozen, dried, or dehydrated form, that are sold for
 2 ingestion or chewing by humans and are consumed for their taste or
 3 nutritional value;

4 (2) Candy and soft drinks;

5 (3) Food sold in an unheated state by
 6 weight or volume as a single item; and

7 (4) Bakery items, including bread,
 8 rolls, buns, biscuits, bagels, croissants, pastries, donuts, Danish, cakes,
 9 tortes, pies, tarts, muffins, bars, cookies, tortillas.

10 (b) "Food and food ingredients" do not include
 11 alcoholic beverages, dietary supplements, prepared foods, food sold through
 12 vending machines or tobacco;

13 (iv) "Food sold through vending machines" means food
 14 dispensed from a machine or other mechanical device that accepts payment;

15 (v)(a) "Prepared food" means:

16 (1) Food sold in a heated state or
 17 heated by the seller;

18 (2) Two or more food ingredients mixed
 19 or combined by the seller for sale as a single item; or

20 (3) Food sold with eating utensils
 21 provided by the seller, including plates, knives, forks, spoons, glasses,
 22 cups, napkins, or straws. A plate does not include a container or packaging
 23 used to transport the food.

24 (b) "Prepared food" does not include:

25 (1) Food that is only cut, repackaged,
 26 or pasteurized by the seller; and

27 (2) Eggs, fish, meat, poultry, and foods
 28 containing these raw animal foods requiring cooking by the consumer as
 29 recommended by the Food and Drug Administration in chapter 3, part 401.11 of
 30 its Food Code delegation so as to prevent food borne illnesses;

31 (vi)(a) "Soft drinks" means non-alcoholic beverages that
 32 contain natural or artificial sweeteners.

33 (b) "Soft drinks" do not include beverages that
 34 contain milk or milk products, soy, rice or similar milk substitutes, or
 35 greater than fifty percent (50%) of vegetable or fruit juice by volume; and

36 (vii) "Tobacco" means cigarettes, cigars, chewing or pipe

1 tobacco, or any other item that contains tobacco.

2
3 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
4 General Assembly of the State of Arkansas that revenue available for the
5 support of necessary state services has declined during the last twelve (12)
6 months as a result of the nationwide economic slow down; that without
7 additional revenue, some state services will be reduced or eliminated; that
8 some Arkansans will suffer as a result of service reductions or cuts; and
9 that this act is immediately necessary because it will provide the necessary
10 revenue to avoid state service reductions or cuts. Therefore, an emergency
11 is declared to exist and this act being necessary for the preservation of the
12 public peace, health, and safety shall become effective on July 1, 2003.

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21 revenue to avoid state service reductions or cuts. Therefore, an emergency
22 is declared to exist and this act being necessary for the preservation of the
23 public peace, health, and safety shall become effective on July 1, 2003.