

1 State of Arkansas  
2 84th General Assembly  
3 Second Extraordinary Session, 2003  
4

*As Engrossed: S12/16/03*  
**A Bill**

Call Item 4

SENATE BILL 28

5 By: Senators Argue, Bisbee, Bryles, Gullett, Baker, Whitaker  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO REORGANIZE THE EXISTING PUBLIC  
10 EDUCATION SYSTEM; TO ESTABLISH THE POWERS AND  
11 TIES OF THE DIRECTORS OF THE PUBLIC EDUCATION  
12 SYSTEM; AND FOR OTHER PURPOSES.

**Subtitle**

15 THE COMPREHENSIVE PUBLIC EDUCATION  
16 REORGANIZATION ACT.

17  
18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 WHEREAS, The Arkansas Supreme Court, in the decision of Lake View  
22 School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the now  
23 extant system of public education to be unconstitutional because it is both  
24 inequitable and inadequate; and  
25

26 WHEREAS, The Arkansas Supreme Court set forth the test for a  
27 constitutional system to be one in which the state has an “absolute duty” to  
28 provide an “equal opportunity to an adequate education”; and  
29

30 WHEREAS, The Arkansas Supreme Court defined an “equal opportunity” to  
31 include the “basic components [of] substantially equal curricula,  
32 substantially equal facilities, and substantially equal equipment for  
33 obtaining an adequate education”; and  
34

35 WHEREAS, The Arkansas Supreme Court pointed to discrepancies in teacher  
36 salaries finding that “[w]ell paid and well motivated teachers are what make



1 the education engine run”; and

2  
3 WHEREAS, The Arkansas Supreme Court recognized that the Arkansas  
4 General Assembly had “addressed what an adequate education in Arkansas would  
5 entail” through the passage of § 3 of Act 1108 of 1997 and § 1 of Act 1307 of  
6 1997; and

7  
8 WHEREAS, The General Assembly acknowledges that Acts 1108 and 1307 set  
9 forth what Arkansas’ children should be able to know and do, which is the  
10 definition of an adequate education; and

11  
12 WHEREAS, The Arkansas Supreme Court has given the General Assembly  
13 until January 1, 2004, to implement a constitutional education system; and

14  
15 WHEREAS, The State of Arkansas recognizes that it has been the position  
16 of the state that any school district, regardless of size, whose students  
17 consistently exhibited exceptional performances on state, regional, or  
18 national examinations or on other related indicators of academic success  
19 would not be adversely affected by any structure of public education; and

20  
21 WHEREAS, It is the desire of the State of Arkansas to maintain as many  
22 community schools and as much community involvement in public education as  
23 possible; and

24  
25 WHEREAS, The state recognizes that there is no greater indicator of  
26 success in education than the involvement of the parents of students and the  
27 members of the community; and

28  
29 WHEREAS, Multiple studies of education and education efficiency have  
30 determined that there are better ways of delivering an education system than  
31 the one that currently exists in Arkansas; and

32  
33 WHEREAS, The state is acutely aware of financial and monetary  
34 restraints that have been placed on it by both the current state of the  
35 economy and the Constitution of the State of Arkansas; and

1 WHEREAS, The state has to find an efficient method to use its limited  
2 resources to create a system of public education as defined by Article 14, as  
3 amended, of the Arkansas Constitution,

4  
5 NOW THEREFORE,

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

7  
8 SECTION 1. Legislative purpose.

9 The General Assembly declares that this act is necessary to:

10 (1) Ensure the delivery of an equal opportunity for an adequate  
11 education to the people of Arkansas in an efficient and effective manner;

12 (2) Provide education accountability at all levels of public  
13 school education, including, but not limited to, student performance, teacher  
14 performance, administrative performance, and overall school performance; and

15 (3) Develop a teacher compensation structure which enables the  
16 State of Arkansas to compete both regionally and nationally in initial hiring  
17 and retention of top quality teachers.

18  
19 SECTION 2. Creation of the Office of Public School Accountability.

20 (a)(1) To enhance the public's access to public school performance  
21 indicators and to better measure the benefits of the increasing public  
22 investment in Arkansas' schools, the General Assembly finds that an Office of  
23 Public School Accountability shall be established under the direct  
24 operational control of the State Board of Education.

25 (2) The foremost obligation of the accountability office shall  
26 be to administer all monitoring and compliance activities dealing with  
27 academic and fiscal accountability for each school or school district and  
28 report academic progress.

29 (b) There is created an Office of Public School Accountability, which  
30 shall begin operation within one hundred twenty (120) calendar days following  
31 the effective date of this act.

32 (c) The office shall be under the supervision of the state board.

33 (d) The Chair of the State Board of Education shall name a three  
34 member Public School Accountability Oversight Panel consisting of the  
35 following individuals:

36 (1) Chair of the state board; and

1           (2) Two (2) members of the state board.

2           (e)(1) The panel shall select an individual to serve as the Public  
3 School Accountability Director.

4           (2) The director, with guidance and approval from the panel,  
5 shall be responsible for hiring all employees of the office.

6           (f) The office shall have the following responsibilities:

7           (1) Monitor schools for compliance with state and federal  
8 regulations;

9           (2) Monitor schools for compliance with legislative acts and  
10 court-ordered mandates;

11           (3) Monitor schools for compliance with all standards of  
12 learning and accreditation as established by the state board;

13           (4) Monitor schools for compliance with all rules and  
14 regulations as established by the state board;

15           (5) Coordinate the analysis, dissemination, and reporting of all  
16 criterion and norm-referenced testing information;

17           (6) Coordinate the implementation and administration of  
18 longitudinal tracking and trend data collection as established by the state  
19 board for the purposes of improving student and school performance, ensuring  
20 mastery of the curriculum, and providing comparison between students within  
21 Arkansas and with students in other states;

22           (7) Coordinate the implementation and administration of value-  
23 added assessments as established by the state board;

24           (8) Coordinate the implementation and administration of the  
25 annual school performance reports as established by the state board;

26           (9) Administer all monitoring and compliance activities dealing  
27 with academic and fiscal accountability as established by the state board;  
28 and

29           (10) Work with program approval and certification sections of  
30 the Arkansas Department of Education, the Arkansas Department of Higher  
31 Education, the Arkansas Department of Workforce Education, and the individual  
32 colleges to provide information that will contribute to reasonable,  
33 equitable, and excellent preparation of certified personnel in the  
34 institutions, both public and private, of higher education.

35           (g)(1) The office shall provide annual reports of school performance  
36 or compliance to the Joint Interim Oversight Committee on Education Reform,

1 the House Interim Committee on Education, and the Senate Interim Committee on  
2 Education.

3 (2) A preliminary report shall be provided by January 1 each  
4 year and a follow-up report that includes information regarding on-site  
5 visits shall be filed by June 1 each year.

6 (h)(1) There is created the Arkansas Public Schools Accountability  
7 Advisory Council that shall begin operation within one hundred (120) calendar  
8 days following the effective date of this act. The membership of the council  
9 shall include:

10 (A) One (1) member designated as chair, to be selected by  
11 the Governor, who shall be a representative of Arkansas businesses;

12 (B) One (1) member selected by the Governor, who shall be  
13 a representative of a educator's union in the state of Arkansas;

14 (C) One (1) member selected by the Governor, who shall be  
15 a parent of at least one (1) student currently enrolled in grades  
16 kindergarten through twelve (K-12) in a public school in the State of  
17 Arkansas;

18 (D) One (1) member selected by the Speaker of the House of  
19 Representatives who shall be a representative of higher education;

20 (E) One (1) member appointed by the President Pro Tempore  
21 of the Senate who shall be a representative of Arkansas businesses;

22 (F) One (1) member appointed by the chairperson of the  
23 Senate Committee on Education who is currently employed as a teacher in the  
24 grades kindergarten through twelve (K-12) public school system in the State  
25 of Arkansas; and

26 (G) One (1) member appointed by the chair of the House  
27 Committee on Education who shall be a representative of the administration of  
28 a public school in the State of Arkansas.

29 (2) The council shall provide advice and consultation services  
30 for the director.

31 (3) The council may be convened by the chair of the council, by  
32 the chair of the state board, or by the director.

33 (4) Members shall not receive compensation for service on the  
34 council but may receive expense reimbursement as provided in Arkansas Code  
35 §25-16-902.

36

1           SECTION 3. Creation Office of the Office of Public School Academic  
2 Facilities.

3           (a) In order to ensure that substantially equal access to adequate  
4 educational facilities and educational equipment is provided for all public  
5 school students in Arkansas, the General Assembly finds that an Office of  
6 Public School Academic Facilities should be established under the direct  
7 supervision of the State Board of Education.

8           (b) There is created an Office of Public School Academic Facilities  
9 which shall begin operation within one hundred twenty (120) calendar days  
10 following the effective date of this act.

11           (c) The Office of Public School Academic Facilities shall be under the  
12 supervision of the state board and shall report directly to the Public School  
13 Academic Facilities Oversight Panel.

14           (d) The chair of the state board shall name a three-member Public  
15 School Academic Facilities Oversight Panel consisting of the following  
16 individuals:

17                   (1) Chair of the state board; and

18                   (2) Two (2) members of the state board.

19           (e)(1) The panel shall select an individual to serve as the Public  
20 School Academic Facilities Director.

21                   (2) The Public School Academic Facilities Director shall be an  
22 architect that is licensed by the State of Arkansas.

23                   (3) The Public School Academic Facilities Director, with  
24 guidance and approval from the panel, shall be responsible for hiring all  
25 employees of the Office of Public School Academic Facilities.

26           (f) The Executive Chief Information Officer shall assign one (1)  
27 individual from the staff of the Office of Information Technology to serve as  
28 a technology liaison to the Public Schools Academic Facilities Office.

29           (g) The Director of the Arkansas Building Authority shall assign one  
30 (1) individual from the staff of the Arkansas Building Authority to serve as  
31 a physical plant liaison to the Public Schools Academic Facilities Director.

32           (h) The Office of Public Schools Academic Facilities shall:

33                   (1) Provide information or assistance to the Joint Committee on  
34 Educational Facilities created by Act 1181 of 2003 as requested by the joint  
35 committee;

36                   (2) Use any recommendation or assessments of the joint committee

1 or the General Assembly as a basis for establishing the policies and  
2 procedures of the Office of Public Schools Academic Facilities; and

3 (3) Provide assistance, as requested, to the Joint Committee on  
4 Educational Facilities in conducting an assessment of all school facilities  
5 in the state and continue to update and maintain current assessments of all  
6 school facilities after the expiration of the joint committee on December 31,  
7 2004.

8 (i)(1) Beginning January 1, 2005, school districts shall provide to  
9 the Office of Public Schools Academic Facilities, on a quarterly basis, a  
10 list of any public school academic facility repair or improvement needed in  
11 excess of five thousand dollars (\$5,000), new construction proposed in excess  
12 of twenty-five thousand dollars (\$25,000), or technology needs in excess of  
13 ten thousand dollars (\$10,000).

14 (2) The Public School Academic Facilities Director shall create  
15 and implement a standardized reporting format and select the method to be  
16 utilized by school districts in the preparation and submission of the list to  
17 the Office of Public Schools Academic Facilities.

18 (3) The data gathered from the reports generated by the school  
19 districts shall be presented to the state board for compilation into an  
20 annual report to the Governor and the House Interim Committee on Education  
21 and the Senate Interim Committee on Education on the facilities needs in the  
22 state.

23 (4) The Office of Public Schools Academic Facilities shall  
24 conduct any reviews, site visits, and other research during the year to  
25 assist in preparation of the annual report.

26 (j)(1) The Public Schools Academic Facilities Director shall provide  
27 to the Governor and the House Interim Committee on Education and the Senate  
28 Interim Committee on Education reports on the *status of public school*  
29 *academic facilities* including the facilities and technologies needs and  
30 priorities for each category.

31 (2) A preliminary report shall be provided by January 1 each  
32 year and a follow-up report that includes information regarding on-site  
33 visits shall be filed by June 1 each year.

34 (k)(1)(A) No later than September 30 of each even-numbered year of the  
35 biennium, the panel shall present to the state board the list of public  
36 school facility repairs, improvements, and construction along with technology

1 improvements that the panel recommends for the next biennium.

2 (B) Copies of the list shall be provided to the Governor  
3 and the House Interim Committee on Education and the Senate Interim Committee  
4 on Education.

5 (2) The state board shall prioritize funding for public school  
6 facility repairs, improvements, and construction along with technology  
7 improvements based on the recommendations of the panel.

8 (1) The state board and the Public Schools Academic Facilities Office  
9 shall develop, by rule and regulation, the process for developing the list of  
10 public school facility repairs, improvements, and construction along with  
11 technology improvements necessary under this act.

12  
13 SECTION 4. Creation of the Office of Education Renewal Zones.

14 (a) There is created an Office of Education Renewal Zones.

15 (b) The office shall be under the supervision of the State Board of  
16 Education.

17 (c) The Chairman of the State Board shall name a three (3) member  
18 Public School Education Renewal Zones Oversight Panel consisting of the  
19 following individuals:

20 (1) Chairman of the state board; and

21 (2) Two (2) members of the state board.

22 (d)(1) The panel shall select an individual to serve as the Public  
23 School Education Renewal Zones Director.

24 (2) The Public School Education Renewal Zones Director, with  
25 guidance and approval from the panel, shall be responsible for hiring all  
26 employees of the office.

27 (3) The Director of the Arkansas Department of Higher Education  
28 shall assign one (1) individual from the staff of the Department of Higher  
29 Education to serve as a liaison to the office.

30 (e) The office shall be responsible for developing guidelines for the  
31 approval of education renewal zone strategic plans and guidelines for the  
32 evaluation and reporting of education renewal zone activities.

33 (f) The office shall approve any education renewal zone strategic plan  
34 prior to the disbursement or annual renewal of funds to participating  
35 institutions of higher education.

36 (g)(1) Effective July 1, 2004, any public school, education service



1 cooperative and institution of higher education is authorized to enter into  
2 one (1) or more inter-local agreements through which they collaborate to  
3 improve public school performance and academic achievement.

4 (2) Each inter-local agreement shall establish an education  
5 renewal zone.

6 (3) The purpose of an education renewal zone shall be to:

7 (A) Identify and implement education and management  
8 strategies designed specifically to improve public school performance and  
9 student academic achievement throughout the State of Arkansas, with special  
10 focus on the state's most academically distressed public schools;

11 (B) Provide for collaboration among the state's smaller  
12 schools and districts in order to achieve some of the advantages of economies  
13 of scale in providing educational and related activities;

14 (C) Maximize benefits and outcomes of public schooling by  
15 concentrating and coordinating the resources of Arkansas's higher education  
16 institutions, the expertise of the regional education service centers, and  
17 the technical assistance of other service providers to improve public school  
18 performance and student academic achievement; and

19 (D) Enable small, rural, and low-wealth schools to make  
20 the best use of the latest cost-effective distance learning technology to  
21 enhance curricula and professional development through two-way interactive  
22 learning environments.

23 (h) Each education renewal zone shall consist of the following:

24 (1) Higher education partner;

25 (A) The office shall develop, publish and disseminate  
26 guidelines for establishing an education renewal zone, including a process  
27 for selecting a qualified education renewal zone higher education partner in  
28 the fifteen educational service cooperative areas in the state and in Pulaski  
29 County.

30 (B)(i) A qualified higher education institution shall meet  
31 the following minimum requirements:

32 (a) Be a school with a department of education or a  
33 comprehensive four-year teacher preparation program; and

34 (b) Be capable of demonstrating a willingness and  
35 flexibility to restructure its programs and services to meet the needs of the  
36 participating grades kindergarten through twelve (K-12) schools and school

1 districts.

2 (ii) The office shall give preference to qualified  
3 four-year higher education institutions located within the educational  
4 service cooperative area.

5 (C) In the event that there is no qualified four-year  
6 higher education institution located within the education service center  
7 area, the office may select:

8 (i) A two-year higher education institution that, in  
9 collaboration with a qualified four-year educational institution located in  
10 another education service center area, provides a comprehensive four-year  
11 teacher preparation program; or

12 (ii) A qualified higher education institution  
13 located in another educational service cooperative area.

14 (iii) An institution of higher education may serve  
15 as the higher education partner for more than one educational service  
16 cooperative area;

17 (2)(A) Education Service Cooperative.

18 (B) The education service cooperative shall be a full  
19 partner in planning, implementing, and evaluating the education renewal zone  
20 in its respective service area and shall provide direct services as called  
21 for in the education renewal zone plan;

22 (3) Public Schools.

23 (A) Public schools may participate in an education renewal  
24 zone upon successful application by the public school district of which the  
25 school is a part.

26 (B) The application for admission to the education renewal  
27 zone shall be submitted to the office at a time and in a manner as prescribed  
28 via rule or standard by the office.

29 (i) Acceptance or rejection of the application by a  
30 school for admittance to an education renewal zone shall be the  
31 responsibility of the office, with consultation from the Higher Education  
32 Partner.

33 (ii) The office may include within an education  
34 renewal zone any school within the Education Service Center area provided  
35 that no more than ten (10) schools may participate in any single education  
36 renewal zone.

1                   (iii) The office may designate up to a maximum of  
2 three (3) education renewal zones within any single Education Service Center  
3 area.

4                   (C) In designating education renewal zones and selecting  
5 schools for participation in a particular zone, the office shall give  
6 priority to schools that meet one or more of the following criteria:

7                   (i) The school is classified as "School Improvement  
8 Schools" or "Alert Status for School Improvement" under the Arkansas state  
9 compliance plan under the federal Elementary and Secondary Education Act of  
10 2002, the No Child Left Behind Act.

11                   (ii) The school lies within a school district  
12 classified as in "Academic Distress" or "Financial Distress" under the  
13 Arkansas Comprehensive Testing, Assessment, and Accountability Program.

14                   (iii) The school demonstrates an inability to hire  
15 and retain highly qualified teachers as defined by the state plan for  
16 compliance with the No Child Left Behind Act.

17                   (iv) The school demonstrates an inability to provide  
18 the minimum number of course offerings as determined by the state through the  
19 conventional hiring of qualified teachers.

20                   (v) The school is within a school district with an  
21 average daily membership of fewer than one thousand five hundred (1,500)  
22 students.

23                   (vi) The school serves a student population that  
24 exceeds the statewide average rate of participation in free or reduced price  
25 lunch programs.

26                   (4) Local Advisory Group.

27                   (A) Each education renewal zone shall form a local  
28 advisory group comprised of a representative of the following groups:

29                   (i) The Higher Education Institution Partner

30                   (ii) The Education Service Center which includes the  
31 area in which the education renewal zone is located

32                   (iii) The public school or school district  
33 participating in the education renewal zone.

34                   (iv) Each community in which there is a school  
35 participating in the education renewal zone.

36                   (B) The office may designate up to a maximum of three (3)

1 education renewal zones within any single Education Service Center area.

2 (5) Technical Assistance Provider. Any two-year community or  
3 technical college, technical support organization, or other entity may  
4 participate in the education renewal zone at the discretion of the office and  
5 in collaboration with a designated Higher Education Institution Partner and a  
6 designated education service cooperative.

7 (i) The office, the state board and the local school districts shall  
8 exercise due diligence to assure that all schools classified as "School  
9 Improvement Schools" under the No Child Left Behind Act are included in a  
10 designated education renewal zone.

11 (j) The office may, at its discretion, include any school regardless  
12 of its eligibility under the foregoing criteria, if it determines that on the  
13 basis of location, characteristics of its faculty or leadership, needs of the  
14 students, or other factors, in the judgment of the office, that the inclusion  
15 of such school significantly strengthens the prospect of the education  
16 renewal zone in meeting its school improvement goals.

17 (k) The office may, at its discretion, change participating schools  
18 within each education renewal zone.

19 (l)(1) Each school participating in an education renewal zone shall  
20 develop and implement a school improvement plan.

21 (2) Each school improvement plan shall at a minimum include the  
22 following:

23 (A) Goals for improving student achievement;

24 (B) Measurable benchmarks for achieving student  
25 improvement goals;

26 (C) A timeline for reaching goals in improving student  
27 achievement; and

28 (D) Requirements for services to be provided by the  
29 Education Renewal Zone Partners.

30 (m) The partners within a specific education renewal zone shall  
31 develop a strategic plan that is responsive to the needs of the individual  
32 school improvement plans.

33 (n) The education renewal zone strategic plan shall at a minimum  
34 provide for the following:

35 (A) Collaboration between and among the higher education  
36 institution partners, education service centers, schools and communities

1 participating in the education renewal zone, including within the academic  
2 departments within the higher education institution partners;

3 (B) A comprehensive program of professional development to  
4 assure the practical knowledge base of pre-service and in-service teachers  
5 with respect to pedagogical practice, content knowledge, and competent use of  
6 distance learning technology;

7 (C) Enhancement and expansion of local school curricula  
8 offerings through the use of two-way interactive television to include  
9 advanced placement, dual-credit and advanced high school courses;

10 (D) The sharing of faculty for core course offerings when  
11 schools are unable to hire highly-qualified teachers in core subject areas  
12 required for college entrance or teachers necessary to meet state  
13 accreditation standards;

14 (E) A strategy to recruit and retain highly-qualified  
15 teachers with particular focus on hard-to-staff schools;

16 (F) A system for mentoring teachers with three (3) or  
17 fewer years of professional service;

18 (G) Active participation of the community in the work of  
19 the school;

20 (H) Active involvement of parents in the academic work of  
21 the student; and

22 (I) A means of collecting the data necessary to evaluate  
23 the progress of each participating public school and the education renewal  
24 zone in its entirety.

25 (o) Each education renewal zone, using guidelines and indicators set  
26 by the office, shall prepare an annual report to the office describing the  
27 progress toward accomplishing the goals of the education renewal zone.

28 (p) The office, under guidance and direction of the office Oversight  
29 panel of the state board, shall prepare an annual report to the Governor, the  
30 General Assembly, and the Arkansas State Board of Education describing the  
31 progress toward accomplishing the goals of the individual education renewal  
32 zones and the overall education renewal zone program.

33 (q) The office shall establish a website, accessible by the public, to  
34 provide for broad dissemination of both the education renewal zone plans and  
35 strategies and the results of the annual reports on progress toward  
36 accomplishing the goals of the individual education renewal zones and the

1 overall education renewal zone program.

2  
3 SECTION 5. Arkansas Code § 6-11-101 (b), concerning State Board of  
4 Education Members, is amended as follows:

5 (b)(1) The term of office of a member of the board, appointed prior to  
6 the effective date of this act of 2003, shall be six (6) years.

7 (2)(A) The term of office of a member of the state board,  
8 appointed after the effective date of this act of 2003, shall be a single  
9 ten-year term.

10 (B) Any member appointed to the state board to fill a  
11 vacancy for an uncompleted term with fewer than two (2) years remaining on  
12 the original term, may be reappointed to an additional ten-year term.

13 (3) No member shall be allowed to resign in order to be  
14 appointed to a different ten-year or fewer term on the board.

15 (4) Nothing in this section shall be construed to change the  
16 terms of any member of the state board that was appointed prior to the  
17 effective date of this section.

18  
19 SECTION 6. Arkansas Code § 6-11-118 is repealed.

20 ~~6-11-118. Office of Rural Services. Effective July 1, 2000.~~

21 ~~(a) This section shall be known as the "Rural Services Act of 1981".~~

22 ~~(b) The General Assembly recognizes that Arkansas Constitution,~~  
23 ~~Article 14, requires the state to provide a general, suitable, and efficient~~  
24 ~~system of free public schools and that the Department of Education is~~  
25 ~~legislatively created to help provide these schools. The General Assembly~~  
26 ~~further recognizes the need for effective aid and assistance to the smaller~~  
27 ~~rural school districts of the state and that under the present structure of~~  
28 ~~the department such aid and assistance is not adequate.~~

29 ~~(c)(1) There is created the Office of Rural Services in the~~  
30 ~~department.~~

31 ~~(2) The Director of the Department of Education shall establish~~  
32 ~~a coordinator in the office.~~

33 ~~(3) The duties of this office shall be to:~~

34 ~~(A) Direct programs to improve the quality of the rural~~  
35 ~~schools of the state by helping to deliver comprehensive technical assistance~~  
36 ~~services such as curriculum development, teaching methods evaluations,~~

1 ~~program development, planning, needs assessments, etc.;~~

2 ~~(B) Help develop teacher training programs that fit the~~  
3 ~~needs of rural students;~~

4 ~~(C) Develop and conduct in-service education programs for~~  
5 ~~rural teachers, administrators, and county board of education members;~~

6 ~~(D) Act as liaison between rural education and rural~~  
7 ~~development activities;~~

8 ~~(E) Assist rural districts in developing rural resource~~  
9 ~~cooperatives in order that rural schools can share a pool of specialized~~  
10 ~~human, material, and technical resources;~~

11 ~~(F) Assist rural schools in construction and renovation~~  
12 ~~programs;~~

13 ~~(G) Identify and create an awareness of promising~~  
14 ~~practices of rural schools throughout the state and nation;~~

15 ~~(H) Serve as liaison between the department and the small~~  
16 ~~schools; and~~

17 ~~(I) Coordinate all other activities especially for small~~  
18 ~~schools and collect such data as are needed by the General Assembly in order~~  
19 ~~that rural schools may be properly financed.~~

20 ~~(4) The office shall answer directly to the director.~~

21 ~~(d) For the purpose of this section, the term "rural school" shall be~~  
22 ~~interchangeable with the term "small high school" and shall include those~~  
23 ~~schools with enrollments of five hundred (500) or fewer in kindergarten~~  
24 ~~through grade twelve (K-12). Schools with enrollments of five hundred (500)~~  
25 ~~to seven hundred fifty (750) shall also be served by this office if they are~~  
26 ~~in unincorporated areas and if the superintendent requests that the school~~  
27 ~~become a part of the area for which this office is responsible.~~

28  
29 SECTION 7. Arkansas Code Title 6, Chapter 13, is amended to add an  
30 additional subchapter to read as follows:

31 6-13-1601. Consolidation list.

32 (a)(1) For purposes of this subchapter, "average daily membership"  
33 means the total number of days attended plus the total number of days absent  
34 by students in grades kindergarten through twelve (K-12) during the first  
35 three (3) quarters of each school year divided by the number of school days  
36 actually taught in the district during that period of time rounded up to the

1 nearest hundredth.

2 (2) As applied to this subchapter, students who may be counted  
3 for average daily membership are:

4 (A) Students who reside within the boundaries of the  
5 school district and who are enrolled in a public school operated by the  
6 district or a private school for special education students, with their  
7 attendance resulting from a written tuition agreement approved by the  
8 Department of Education;

9 (B) Legally transferred students living outside the  
10 district but attending a public school in the district; and

11 (C) Students who reside within the boundaries of the  
12 school district and who are enrolled in the Arkansas National Guard Youth  
13 Challenge Program, so long as the students are participants in the program.

14 (b) By February 1, 2004, and each February 1 thereafter, the  
15 department shall publish a consolidation list that includes all school  
16 districts with fewer than five hundred (500) students per the district's  
17 average daily membership in both of the two (2) school years immediately  
18 preceding the current school year.

19  
20 6-13-1602. Reorganization.

21 (a)(1)(A) Any school district included in the Department of  
22 Education's consolidation list may voluntarily agree to consolidate with or  
23 be annexed to another district pursuant to the requirements of subdivision  
24 (c)(1) of this section.

25 (B) Any school district on the consolidation list choosing  
26 to voluntarily consolidate or annex shall submit a petition for approval to  
27 the State Board of Education by March 15 immediately following publication of  
28 the list and shall set forth the terms of the consolidation or annexation  
29 agreement in the plan.

30 (2) Any school district on the consolidation list that does not  
31 receive approval of a voluntary consolidation or annexation petition by the  
32 State Board of Education shall be consolidated or annexed by the state board  
33 with or into other school districts by June 1, 2004, to be effective on July  
34 1, immediately following publication of the list under the requirements of  
35 subdivision (c)(1) of § 6-13-1601.

36 (b) Any school district required to be consolidated or annexed under



1 this subchapter shall be consolidated or annexed in such a manner as to  
 2 create:

3 (1) A resulting district with an average daily membership  
 4 meeting or exceeding seven hundred (700); or

5 (2) A countywide district.

6 (c)(1)(A) All consolidations or annexations under this section shall  
 7 be accomplished so as not to create a school district that hampers, delays or  
 8 in any manner negatively affects the desegregation of another school district  
 9 in this state, and shall be in compliance with § 6-13-1401 et seq., except  
 10 the State Board of Education shall need no additional authority from the  
 11 affected districts to effectuate the requirements of this act.

12 (B) The State Board of Education may receive and hear petitions  
 13 or move on its own motion to consolidate or annex a school district on the  
 14 consolidation list in such a time frame to effectuate the mandate of §§ 6-13-  
 15 1602(a)(1)(B)(1) and (a)(1)(B)(2).

16 (2) In the annexed or consolidated school districts created  
 17 under this act, the tax millage rate shall be determined as set forth under §  
 18 6-13-1409(b).

19 (d) Nothing in this section shall be construed to require the closing  
 20 of any grades kindergarten through eight (K-8) school facilities.

21  
 22 SECTION 8. Arkansas Code Title 6, Chapter 20, Subchapter 6 is amended  
 23 to add an additional section to read as follows:

24 6-20-602. Isolated schools.

25 (a) Prior to reorganization of a district under this act, the state  
 26 board shall declare a school to be "isolated", if the school's district meets  
 27 the following criteria:

28 (1) There is a distance of nineteen (19) miles or more by hard-  
 29 surfaced highway from the high school of the district to the nearest adjacent  
 30 high school in an adjoining district;

31 (2) The density ratio of transported students is less than three  
 32 (3) students per square mile; or

33 (3) The State Board of Education shall have the authority to  
 34 declare other schools isolated if the school district can demonstrate to the  
 35 state board that the students would be unreasonably harmed by a long  
 36 transportation time due to geographical barriers.

1       (b) Any school qualifying as an isolated school under this section that  
2 is in school district subject to consolidation, annexation, or reorganization  
3 under this act shall remain open under the resulting district.

4       (c) The resulting district shall be entitled to funding for isolated  
5 schools as provided by law or State Board rule.

6  
7       SECTION 9. Arkansas Code § 6-20-601 is repealed.

8       ~~6-20-601. Qualifications for receiving isolated funding.~~

9       ~~(a) As used in this section, "isolated school district" means a school~~  
10 ~~district that meets any four (4) of the following five (5) criteria:~~

11       ~~(1) There is a distance of twelve (12) miles or more by hard-surfaced~~  
12 ~~highway from the high school of the district to the nearest adjacent high~~  
13 ~~school in an adjoining district;~~

14       ~~(2) The density ratio of transported students is less than three~~  
15 ~~(3) students per square mile of area;~~

16       ~~(3) The total area of the district is ninety-five square miles~~  
17 ~~(95 sq. mi.) or greater;~~

18       ~~(4) Less than fifty percent (50%) of bus route miles is on hard-~~  
19 ~~surfaced roads; and~~

20       ~~(5) There are geographic barriers such as lakes, rivers, and~~  
21 ~~mountain ranges which would impede travel to schools that otherwise would be~~  
22 ~~appropriate for consolidation, cooperative programs, and shared services.~~

23       ~~(b) An isolated school district shall be eligible to receive isolated~~  
24 ~~funding if:~~

25       ~~(1) The district's budget is prepared by the local district with~~  
26 ~~Department of Education approval;~~

27       ~~(2) The district has an average daily membership of less than~~  
28 ~~three hundred fifty (350); and~~

29       ~~(3) The district meets the minimum standards for accreditation~~  
30 ~~of public schools prescribed by law and regulation.~~

31       ~~(c) Any school district designated as an isolated school district for~~  
32 ~~the 1996-1997 fiscal year that used geographic barriers as one (1) of the~~  
33 ~~four (4) criteria necessary to receive isolated funding shall be allowed to~~  
34 ~~continue to use geographic barriers as a criterion for future allocations of~~  
35 ~~isolated funding.~~

36       ~~(d)(1) State financial aid in the form of isolated funding shall be~~

1 ~~provided to local school districts qualifying under this section and shall be~~  
 2 ~~calculated as follows:~~

3  
 4 ~~(350 Previous year's average daily membership) divided by eight~~  
 5 ~~hundred fifty (850) times the previous year's average daily membership times~~  
 6 ~~the base local revenue per student.~~

7 ~~(2) There shall be two (2) categories of isolated funding:~~

8 ~~(A) Category I isolated funding shall be provided to all~~  
 9 ~~school districts that qualify under this section; and~~

10 ~~(B) Category II isolated funding shall be further provided~~  
 11 ~~to those school districts that qualify under this section and have an average~~  
 12 ~~daily membership density ratio of less than 1.2 students per square mile and~~  
 13 ~~shall be calculated at fifty percent (50%) of Category I funding.~~

14 ~~(3) Those school districts that qualify under this section and~~  
 15 ~~whose local revenue per student exceeds the base local revenue per student~~  
 16 ~~shall receive isolated funding calculated as follows:—(Category I plus~~  
 17 ~~Category II) minus (base local revenue per student minus local revenue per~~  
 18 ~~student) times the previous year's average daily membership.~~

19 ~~(4) In the event that the statewide amount for isolated funding~~  
 20 ~~calculated pursuant to this section is less than the amount appropriated for~~  
 21 ~~isolated funding, the State Board of Education may include a funding factor~~  
 22 ~~in the calculation in § 6-20-303(14)(A) in order to expend up to the~~  
 23 ~~appropriated amount.~~

24 ~~(e) No school district which may qualify under other law to receive~~  
 25 ~~additional state aid because its average daily membership is less than three~~  
 26 ~~hundred fifty (350) shall be eligible to receive funding under this section~~  
 27 ~~except that a district qualifying under other law for such aid and~~  
 28 ~~qualifying for funds under this section may elect to receive funds under this~~  
 29 ~~section in lieu of aid under the other.~~

30  
 31 SECTION 10. Arkansas Code §§ 6-13-906 and 6-13-907 are amended to read  
 32 as follows:

33 6-13-905. Board of directors.

34 (a) Each cooperative ~~will~~ shall be governed by a board of directors.  
 35 ~~consisting of one representative appointed by the board of directors of each~~  
 36 ~~cooperating school district.~~

1           (b)(1) The directors of the cooperatives shall collectively develop a  
 2 system by which the board of directors for each cooperative are appointed so  
 3 that the board is made up of one representative appointed by the board of  
 4 directors of each cooperating school district.

5           (2) The representatives of the cooperating districts shall  
 6 include:

7                   (A) Two (2) classroom teachers;

8                   (B) Two (2) members of school boards of cooperating  
 9 districts;

10                  (C) Two (2) members representative of the business  
 11 community;

12                  (D) One (1) parent; and

13                  (E) Other representatives as selected by the local board  
 14 of directors of each cooperating school district.

15           (3) No cooperative board of directors shall have a majority of  
 16 its membership made up of superintendents of school districts.

17           ~~(b)~~(c) The board shall be empowered to hire a director and other  
 18 employees and to contract for services, supplies, and equipment.

19           ~~(e)~~(d) Policies for the operation of the cooperative will be developed  
 20 by the board of directors and be filed with the Department of Education as  
 21 required by law of school districts generally.

22  
 23           6-13-906. Rules, regulations, and reports.

24           (a) ~~The cooperatives will~~ director of a cooperative and the board of  
 25 directors of a cooperative shall:

26                   (1) Abide by all rules and regulations of the Department of  
 27 Education which apply to school districts generally; ~~and~~

28                   (2) Make all reports as required by law and regulation which  
 29 apply to school districts generally to the department-~~r~~;

30                   (3) Administer the programs and services of the cooperative;

31                   (4) Direct expenditures of funds within the cooperative's  
 32 budget;

33                   (5) Receive and expend funds needed to provide programs and  
 34 services to school districts in the area;

35                   (6) Secure and maintain facilities as are required to provide  
 36 authorized programs and services;

1           (7) Supply any and all information and reports requested by the  
 2 Director of the Department of Education in a timely manner; and

3           (8) Perform other duties as required by the Director of the  
 4 Department of Education and the policies, rules, and regulations of the State  
 5 Board of Education.

6           (b)(1) Records of the expenditures and receipts of the cooperatives  
 7 shall be kept in such manner and on such forms as may be specified by the  
 8 department or the School Audit Section of the Division of Legislative Audit  
 9 of the Legislative Joint Auditing Committee.

10           (2) Reports on expenditures and receipts shall be made for the  
 11 cooperative as a single agency or shall be made separately by the school  
 12 districts to reflect the status of each member district at such time and in  
 13 such manner as specified by the department.

14           (c) Any member of a board of directors of a cooperative or director of  
 15 a cooperative holding a license issued by the State Board of Education who  
 16 fails to comply with subsection (a) of this section, may have his or her  
 17 license revoked or suspended.

18  
 19           SECTION 11. Effective July 1, 2004, Arkansas Code § 6-13-1010 is  
 20 amended to read as follows:

21           6-13-1010. Director.

22           (a) Each education service cooperative shall be administered by a  
 23 director who shall perform the following duties:

24           (1) Administer the programs and services of the education  
 25 service cooperative;

26           (2) Recommend the employment of professional and nonprofessional  
 27 personnel authorized by the education service cooperative's governing body;

28           (3) Prepare the budget for adoption by the education service  
 29 cooperative's governing body;

30           (4) Direct expenditures of funds within the budget; ~~and~~

31           (5) Perform other duties as required by the education service  
 32 cooperative's governing body and the policies, rules, and regulations of the  
 33 State Board of Education-;

34           (6) Supply any and all information and reports requested by the  
 35 Director of the Department of Education in a timely manner; and

36           (7) Perform other duties as required by the Director of the

1 Department of Education and the policies, rules, and regulations of the State  
2 Board of Education.

3 (b) The director of each education service cooperative shall:

4 (1) Hold an administrator's certificate and meet all  
5 requirements to serve as a superintendent of schools in the State of  
6 Arkansas; or

7 (2) Have an alternative learning environment level of education  
8 and administrative experience and obtain the approval of the board.

9 (c) The governing body of any education service cooperative may enter  
10 into a contract with a director for a period not to exceed three (3) years.

11  
12 SECTION 12. Arkansas Code Title 6, Chapter 13 Subsection 10, is  
13 amended to add an additional section to read as follows:

14 6-13-1027. Education service cooperative – Personnel.

15 (a) The director of each education service cooperative shall hire  
16 qualified personnel as may be needed to fulfill the purposes of the education  
17 service center.

18 (b) No employee of the education service cooperative shall be related  
19 within the second degree of consanguinity or affinity to the director of the  
20 cooperative or any member of the board of directors of the education service  
21 cooperative.

22  
23 SECTION 13. Arkansas Code Title 6, Chapter 13, Subchapter 10 is  
24 amended to add an additional section to read as follows:

25 6-13-1028. Education service cooperatives – Professional development  
26 center.

27 (a) Each education service cooperative shall establish a professional  
28 development center that will provide curriculum development assistance,  
29 educational materials, and professional development services to educators,  
30 parents, and other community groups within the school districts in the  
31 service area or to other entities.

32 (b) A professional development coordinator, who shall report to the  
33 director of the education service center, shall manage the professional  
34 development center.

35 (c) Each professional development center shall develop, maintain, and  
36 deliver services to improve student, school, and school district academic

1 performance and to implement initiatives identified by the Director of the  
2 Department of Education.

3 (d)(1)(A) Each Professional Development Center shall develop a  
4 professional development plan.

5 (B) The plan shall be based on the requirements within the  
6 Professional Development Rules and Regulations, State Board of Education  
7 priorities, student achievement data, and the school improvement plans of the  
8 member school districts.

9 (2) Improvement of student achievement shall be the prerequisite  
10 goal of all professional development.

11 (3) The plan shall include the purposes and descriptions of  
12 services the professional development center shall provide to schools in  
13 school improvement and the other schools or entities served by the center.

14 (4)(A) Teachers, administrators, and classified school employees  
15 shall be involved in the design, implementation, and evaluation of the  
16 professional development offerings.

17 (B) The evaluation results shall be given to each group of  
18 employees and used for continuing improvement.

19 (e) Each professional development center shall annually report to the  
20 Director of the Department of Education regarding professional development  
21 activities for the previous year as required by the department.

22 (f) Each professional development center shall provide for the  
23 services of a mathematics specialist, literacy specialist, instructional  
24 technology specialist, and other specialists, including, but not limited to,  
25 gifted and talented, dropout prevention, special education, early childhood,  
26 as identified and required by the department, with special attention and  
27 additional services provided to those schools and school districts with high  
28 concentrations of low-income families or students from low-income families as  
29 indicated by eligibility for the free or reduced-price lunch program under  
30 the National School Lunch Act or any other act of the United States Congress,  
31 in existence on January 1, 2003.

32  
33 SECTION 14. Arkansas Code Title 6, Chapter 17, Subchapter 2 is amended  
34 to add an additional section to read as follows:

35 6-17-211. Interim personnel policy committees.

36 (a) For purposes of this section the following definitions shall

1 apply:

2 (1) "Consolidation" means any reorganization of a school  
3 district effective on or before July 1, 2004, either voluntarily under §6-13-  
4 1401 et seq., or involuntary under this section;

5 (2) "Interim school board" means:

6 (A) The temporary school board governing a school district  
7 under this act; or

8 (B) In the event of a voluntary consolidation under §6-13-  
9 1401 et seq., a board consisting of the presidents of the school district  
10 boards of directors of the school districts to be consolidated, which shall  
11 be formed for the purpose of reviewing and adopting a uniform set of policies  
12 under this section; and

13 (3) "New school district" means the resulting school district  
14 after consolidation.

15 (b)(1) As soon as possible after the school boards or the qualified  
16 electors of the school districts agree to be consolidated, or as soon as  
17 possible after the State Board of Education publishes its preliminary list of  
18 school districts to be consolidated, the personnel policy committee of each  
19 of the school districts involved in the consolidation shall meet individually  
20 and elect members to form an interim personnel policy committee for the new  
21 school district. The personnel policy committees of the existing school  
22 districts shall elect:

23 (A) If three (3) or fewer school districts are  
24 consolidating, three (3) existing teacher members of the personnel policy  
25 committee from each school district to serve on the interim personnel policy  
26 committee;

27 (B) If four (4) or more school districts are  
28 consolidating, two (2) existing teacher members of the personnel policy  
29 committee from each school district to serve on the interim personnel policy  
30 committee; and

31 (C) One (1) administrator from each of the school  
32 districts to serve on the interim personnel policy committee.

33 (2) The interim personnel policy committee shall elect a  
34 chairperson and a secretary, both of whom shall be classroom teachers, and  
35 schedule a meeting to review all the written uniform policies of the  
36 respective districts that affect the terms and conditions of the teachers'



1 employment. From those written policies the interim personnel policy  
2 committee shall put together a proposed set of policies for the new school  
3 district.

4 (c)(1) After drafting a proposed set of policies for the new school  
5 district, the interim personnel policy committee shall meet with the interim  
6 school board of the new school district to present and explain to the interim  
7 school board the proposed set of policies for the new school district.

8 (2) Upon request of the interim personnel policy committee, the  
9 interim school board shall be entitled to meet with the interim personnel  
10 policy committee at least twice before June 1, 2004, for the purpose of  
11 reviewing, receiving, and discussing with the interim personnel policy  
12 committee the proposed policies for the new school district.

13 (d) The interim personnel policy committee shall serve as the new  
14 school district's personnel policy committee until a new personnel policy  
15 committee is formed and the successor personnel policy committee members are  
16 elected under this subchapter, or until the new school district chooses to  
17 officially recognize in its policies an organization representing a majority  
18 of the teachers in the district for purposes of negotiating as provided for  
19 under this subchapter.

20 (e)(1) The interim school board shall adopt a uniform set of policies  
21 before July 1, 2004, which shall be the personnel policies for the new school  
22 district for the 2004-2005 school year. If the interim school board decides  
23 to adopt any policy or policies different from those proposed by the interim  
24 personnel policy committee, the interim school board shall submit the  
25 proposals to the interim personnel policy committee at least seven (7) days  
26 prior to being considered for adoption by the board.

27 (2) The chair of the interim personnel policy committee or a  
28 committee member designated by the chair will have the opportunity to orally  
29 comment on any of the interim school board's proposals prior to their  
30 adoption.

31 (3) Any written policy of a new school district that affects the  
32 terms and conditions of a teacher's employment shall be considered a  
33 personnel policy.

34 (4) The new personnel policies shall not impair or diminish the  
35 existing contract rights of any teacher.

36 (f) If a school district with a personnel policy committee

1 consolidates with another school that recognizes in its policies an  
2 organization representing the majority of the teachers of the district for  
3 the purpose of negotiating personnel policies, salaries, and educational  
4 matters of mutual concern pursuant to § 6-17-202, the teachers in the  
5 district with the personnel policy committee shall have the right, in their  
6 first year of employment with the new district, to elect to have their  
7 contract governed by the negotiated personnel policies of the new district or  
8 to continue with the terms of their existing contract under the personnel  
9 policies of the district they were employed by the year prior to the  
10 consolidation.

11 (g) The provisions of this section shall expire on July 1, 2005.  
12

13 SECTION 15. Arkansas Code Title 6, Chapter 17, Subchapter 2, is  
14 amended to add an additional section to read as follows:

15 6-17-211. Reduction in Force – Lay-offs.

16 (a) For purposes of this section the following definitions shall  
17 apply:

18 (1) “Certification area” means grade levels or subject area for  
19 which the state provides a license to teach;

20 (2) “Classified employee” means a nonsupervisory employee  
21 holding a position that is not required by law to hold a license issued by  
22 the State Board of Education and whose salary is on a support or classified  
23 salary schedule;

24 (3) “Consolidation” means any reorganization of a school  
25 district effective on or before July 1, 2004, either voluntarily under §6-13-  
26 1701 et seq. or involuntary under this section;

27 (4) “Grade level” means:

28 (A) Pre-kindergarten;

29 (B) Elementary, which consists of grade kindergarten  
30 through grade five (5) or grade six (6);

31 (C) Middle or junior high, which consists of grade six (6)  
32 or grade seven (7) through grade eight (8) or grade nine (9); or

33 (D) Senior high, which consists of grades nine through  
34 twelve (9-12);

35 (5) “New school district” means the resulting school district  
36 after consolidation;

1           (6) "Seniority" means the total number of years of employment as  
2 a teacher or as a classified employee in the Arkansas public elementary and  
3 secondary schools. For purposes of this section:

4           (A) Teachers may not count service as classified employees  
5 towards seniority; and

6           (B) A semester under contract shall be counted as a year.  
7 Less than a semester shall not be recognized for seniority;

8           (7) "Supervisory employee" means any individual employed by the school  
9 district having authority, in the interest of the employer, to hire,  
10 transfer, suspend, lay off, recall, promote, discharge, assign, reward, or  
11 discipline other employees, the responsibility to evaluate them, or to adjust  
12 their grievances or effectively to recommend such action; and

13           (8) "Teacher" means a nonsupervisory employee holding a position  
14 that requires a license from the State Board of Education whose salary is  
15 determined by the state minimum teacher salary schedule.

16           (b)(1) In the event of a consolidation effective on or before July 1,  
17 2004, the school districts to be consolidated shall not implement a reduction  
18 in force and shall not nonrenew or terminate any teacher's or classified  
19 employee's contract based upon the upcoming consolidation.

20           (2) The new school district shall become liable for all teacher  
21 and classified employee contracts of the school districts being consolidated.

22           (c)(1) If during the first two (2) years following a consolidation,  
23 effective on or before July 1, 2004, the new school district determines that  
24 it is necessary to reduce its staff of teachers or classified employees, or  
25 both, and that the reduction cannot be accomplished through attrition, then  
26 the new school district shall follow the provisions of this section.

27           (2) However, nothing in this section shall exempt a new school  
28 district from complying with The Teacher Fair Dismissal Act or 1983, § 6-17-  
29 1501 et seq., as may be amended, or the Public School Employee Fair Hearing  
30 Act, § 6-17-1707 et seq., as may be amended, when implementing the reduction  
31 in force.

32           (d) For both teachers and classified employees, the reduction in force  
33 shall be accomplished through attrition as much as possible.

34           (e) When a new school district determines that a reduction in force is  
35 necessary, it shall approve a list of position reductions by school, grade  
36 level, certification areas, and classified job positions. All employees shall

1 receive a copy of the necessary reductions.

2 (f)(1) If the reduction in force cannot be accomplished through  
3 attrition, then points will be assigned to each teacher based upon data as of  
4 July 1 of the year prior to the time in which the reduction in force is to  
5 take place as follows:

6 (A) One (1) point shall be given for each year of  
7 seniority;

8 (B) Additional points for graduate degrees, but only one  
9 (1) applies:

10 (i) Two (2) points shall be given for an earned  
11 master's degree, maximum two (2) points;

12 (ii) Three (3) points shall be given for a master's  
13 degree plus thirty (30) additional graduate level hours, maximum three (3)  
14 points;

15 (iii) Four (4) points shall be given for an  
16 Educational Specialist degree, maximum four (4) points; and

17 (iv) Five (5) points shall be given for a doctorate  
18 degree, maximum five (5) points;

19 (C) Six (6) points shall be given for certification by the  
20 National Board of Professional Teaching Standards;

21 (D) One (1) point shall be given for a trained mentor  
22 teacher;

23 (E) One (1) point shall be given for a certified Praxis  
24 assessor;

25 (F) One (1) point shall be given for two (2) or more  
26 academic content areas of endorsement as identified by the state board;

27 (G) One (1) point shall be given for certification or  
28 teaching in an state board approved shortage area; and

29 (H) One (1) point shall be given for multiple areas and  
30 levels of licensure as identified by the state board.

31 (2) All points assigned shall be verified by documents on file  
32 with the new school district. Each teacher's points shall be added and  
33 teachers shall be ranked by the total points from high to low in their  
34 certification areas. All teachers in the new school district shall receive  
35 the listing of personnel and point totals.

36 (3) In each certification area, those with fewest points will be

1 laid off first with the following provisos:

2 (A) Full certification in a position shall prevail over  
3 greater points.

4 (B) If points are equal, earliest date of employment in an  
5 Arkansas public school shall prevail.

6 (4) If teachers are laid-off from employment under this section,  
7 they shall be offered an opportunity to fill a vacancy for which they are  
8 qualified, for a period of up to two (2) years. The laid off teacher shall  
9 be recalled for a period of two (2) years in reverse order of the layoff to  
10 any position for which they are qualified. A teacher's refusal of a position  
11 shall end the district's obligation to place the laid-off teacher.

12 (g) In the event of a necessary reduction in force under this section  
13 of classified employees, the school district shall supply all classified  
14 employees a list of employees by length of service. The school district  
15 shall first lay off probationary classified employees, then the classified  
16 employees with the least seniority in the identified job classification. For  
17 two (2) years following the reduction, classified employees whose positions  
18 have been eliminated due to a reduction under this section shall have the  
19 right to assume a position for which they are qualified that is held by the  
20 least senior classified employee with the same job classification and length  
21 of contract. Laid-off classified employees shall be recalled for a period of  
22 two (2) years in reverse order of the layoff to any position for which they  
23 are qualified. Any classified employee's refusal of a job shall end the  
24 district's obligation to place that classified employee.

25 (h) Laid-off teachers or classified employees with skills in the area  
26 of a vacant position shall be given first consideration. If more than one  
27 (1) teacher or classified employee is qualified for the vacant position, the  
28 teacher with the greatest seniority shall be employed first.

29 (i) The provisions of this section shall expire on July 1, 2006, with  
30 the exception of the recall provisions in subdivision (f)(4) and subsection  
31 (g) and (h) of this section.

32  
33 SECTION 16. Arkansas Code § 6-17-410(e)(2), pertaining to the reasons  
34 for which a license may be revoked or suspended or the licensee placed on  
35 probation, is amended to add an additional subdivision to read as follows:

36 (I) Determination by the Department of Education that a

1 school superintendent or education service cooperative director has committed  
2 an act or violation, including, but not limited to, any violation of Arkansas  
3 or federal law, rules or regulations, or reporting requirements which  
4 jeopardizes the fiscal or academic integrity of a school or school district.  
5

6 SECTION 17. Effective for the 2004-2005 school year, Arkansas Code § 6-  
7 17-1001 is amended to read as follows:

8 6-17-1001. Minimum base salary - Master's degree.

9 (a)(1) The board of directors in each school district in the state  
10 shall pay its teachers upon a salary schedule which has annual increments for  
11 education and experience and which provides for a base salary, a minimum  
12 salary for a teacher with a master's degree, and at least fifteen (15) years  
13 of experience as described in this section.

14 (2) Beginning with the 2003-2004 school year, the teacher's  
15 experience for purposes of salary and benefits shall be his or her total  
16 years in any school district in the state and shall not be based on only the  
17 years in the district in which he or she is currently employed.

18 (b) In school year ~~2000-2001~~ 2003-2004 and in each school year  
19 thereafter, no school district shall pay its teachers with a bachelor's  
20 degree and no experience less than ~~twenty-one thousand eight hundred sixty~~  
21 ~~dollars (\$21,860)~~ twenty-seven thousand eight hundred ninety-one dollars  
22 (\$27,891).

23 (c) ~~In school year 2000-2001 and in each school year thereafter,~~  
24 ~~school districts shall pay teachers with a master's degree and no experience~~  
25 ~~at least one hundred fifteen percent (115%) of the minimum base salary~~  
26 ~~prescribed in subsection (b) of this section.~~ In school year 2003-2004 and in  
27 each school year thereafter, no school district shall pay its teachers with a  
28 master's degree and no experience less than thirty thousand seven hundred  
29 fifty dollars (\$30,750).

30 (d) ~~In school year 2001-2002 and in each school year thereafter,~~  
31 ~~school districts shall pay a teacher with a master's degree and at least~~  
32 ~~fifteen (15) years of experience one hundred fifty percent (150%) of the~~  
33 ~~state minimum base salary.~~

34 (e)(1) ~~In school year 1995-1996 and in each school year thereafter,~~  
35 ~~each school district in the state shall have in place a salary schedule which~~  
36 ~~provides at least fourteen (14) annual increments for experience.~~

1       ~~(2)(d)~~ In school year 2003-2004 and in each school year thereafter,  
 2 each school district in the state shall have in place a salary schedule which  
 3 provides at least fifteen (15) annual increments for experience.

4       ~~(3)~~ In school year 2001-2002 and in each school year thereafter, each  
 5 school district in the state shall have in place a salary schedule with at  
 6 least the following minimum levels of compensation:

Years Experience	BA Degree Salary	MA Degree Salary
0	\$21,860	\$25,139
1	22,304	25,649
2	22,748	26,159
3	23,192	26,669
4	23,636	27,179
5	24,080	27,689
6	24,524	28,199
7	24,968	28,709
8	25,412	29,219
9	25,856	29,729
10	26,300	30,239
11	26,744	30,749
12	27,188	31,259
13	27,632	31,769
14	28,076	32,279
15 or more	28,520	32,789

25       (e) In school year 2004-2005, each school district in the state shall  
 26 have in place a salary schedule with at least the following levels of  
 27 compensation:

<u>Years Experience</u>	<u>BA Degree Salary</u>	<u>MA Degree Salary</u>
<u>0</u>	<u>\$27,891</u>	<u>\$30,750</u>
<u>1</u>	<u>28,449</u>	<u>31,365</u>
<u>2</u>	<u>29,018</u>	<u>31,992</u>
<u>3</u>	<u>29,598</u>	<u>32,632</u>
<u>4</u>	<u>30,190</u>	<u>33,285</u>
<u>5</u>	<u>30,795</u>	<u>33,951</u>
<u>6</u>	<u>31,410</u>	<u>34,630</u>
<u>7</u>	<u>32,039</u>	<u>35,323</u>

1	<u>8</u>	<u>32,679</u>	<u>36,029</u>
2	<u>9</u>	<u>33,333</u>	<u>36,750</u>
3	<u>10</u>	<u>34,000</u>	<u>37,485</u>
4	<u>11</u>	<u>34,680</u>	<u>38,235</u>
5	<u>12</u>	<u>35,374</u>	<u>39,000</u>
6	<u>13</u>	<u>36,082</u>	<u>39,780</u>
7	<u>14</u>	<u>36,804</u>	<u>40,576</u>
8	<u>15</u>	<u>37,540</u>	<u>41,388</u>

9           ~~(f) For the 1997-98 school year and for each year thereafter, each~~  
10 ~~school district shall provide no less than four hundred dollar increments for~~  
11 ~~experience for teachers with one (1) and two (2) years of experience.~~

12           ~~(g) For the 1998-1999 school year and for each year thereafter, each~~  
13 ~~school district shall provide no less than four hundred dollar increments for~~  
14 ~~experience for teachers with three (3) and four (4) years of experience.~~

15           ~~(h) For the 1999-2000 school year and for each year thereafter, each~~  
16 ~~school district shall provide no less than four hundred dollar increments for~~  
17 ~~experience for teachers with five (5) and six (6) years of experience.~~

18           ~~(i) For the 2000-2001 school year and for each year thereafter, each~~  
19 ~~school district shall provide no less than four hundred dollar increments for~~  
20 ~~experience for teachers with seven (7) and eight (8) years of experience.~~

21           ~~(j) For the 2001-2002 school year and for each year thereafter, each~~  
22 ~~school district shall provide no less than four hundred dollar increments for~~  
23 ~~experience for teachers with nine (9) and ten (10) years of experience.~~

24           ~~(k) For the 2002-2003 school year and for each year thereafter, each~~  
25 ~~school district shall provide no less than four hundred dollar increments for~~  
26 ~~experience for teachers with eleven (11) and twelve (12) years of~~  
27 ~~experience.~~

28           ~~(1)(1) For the 2003-2004 school year and for each year thereafter,~~  
29 ~~each school district shall provide no less than four hundred dollar~~  
30 ~~increments for experience for teachers with thirteen (13) years of~~  
31 ~~experience.~~

32           ~~(2) For the 2004-2005 school year and for each year thereafter,~~  
33 ~~each school district shall provide no less than four hundred dollar~~  
34 ~~increments for experience for teachers with fourteen (14) years of~~  
35 ~~experience.~~

36           ~~(3) For the 2005-2006 school year and for each year thereafter,~~



1 each school district shall provide no less than four hundred dollar  
 2 increments for experience for teachers with fifteen (15) years of  
 3 experience.

4 ~~(m)(g)~~ Subsections ~~(f)-(l)~~ Subsection (f) of this section shall not  
 5 apply to any local school district whose minimum salary for teachers exceeds  
 6 ~~twenty one thousand eight hundred sixty dollars (\$21,860)~~ twenty-seven  
 7 thousand eight hundred ninety-one dollars (\$27,891) and whose average salary  
 8 exceeds the state average salary for teachers for the previous year.

9 ~~(n)(h)~~ As used in this section, "teacher" shall include any full-time  
 10 employee of a local public school district:

11 (1) Who is compelled by law to secure a license from the State  
 12 Board of Education as a condition precedent to employment in a position in or  
 13 related to grades pre-kindergarten through twelve (preK-12) of the public  
 14 schools of this state; and

15 (2) Who is:

16 (A) Engaged directly in instruction with students in a  
 17 classroom setting for more than seventy percent (70%) of the individual's  
 18 contracted time;

19 (B) A guidance counselor; or

20 (C) A librarian.

21 ~~(o)(i)~~ All minimum salaries set forth in this section shall be for a  
 22 contract number of days that is not more than the number of days in the  
 23 school year required by the State Board of Education's regulations for  
 24 accreditation for the school year in which the contract is effective.

25 ~~(p)(l)(j)(1)~~ A district that determines that it cannot meet the  
 26 minimum salary requirements of this section from funds available may petition  
 27 the Department of Education for a waiver of the requirements of this section  
 28 for up to three (3) school years based on regulations promulgated by the  
 29 State Board of Education.

30 (2) The department shall not grant a waiver to any district that  
 31 is not in compliance with the uniform rate of tax requirements under Arkansas  
 32 Constitution, Amendment 74.

33  
 34 Section 18. Arkansas Code Title 6, Chapter 17, Subchapter 23, is  
 35 amended to add an additional section to read as follows:

36 6-17-2308. School based performance awards.

1       (a)(1) For the school year 2004-2005 and each year thereafter, the  
2 Department of Education shall pay four (4) different levels of school based  
3 performance awards to individual schools that show excellence in meeting  
4 state performance goals.

5       (2) The State Board of Education shall promulgate rules and  
6 regulations that explicate how it will be calculated that individual schools  
7 qualify for these awards.

8       (b)(1) The amount of the school-based performance award shall be based  
9 upon the extent to which the school accomplished established student  
10 achievement goals:

11           (A) For a school that did not accomplish the goals there  
12 would be no award;

13           (B) For a school that had basic accomplishment of the  
14 goals, the award would be equal to one thousand dollars (\$1,000) per  
15 certified teacher and administrator in the school plus five hundred dollars  
16 (\$500) for support staff in the school;

17           (C) For a school that had accomplished targeted  
18 improvement goals, the award would be equal to two thousand dollars (\$2,000)  
19 per certified teacher and administrator in the school plus one thousand  
20 dollars (\$1,000) for support staff in the school; and

21           (D) For a school that exceeded the targeted improvement  
22 goals, the award would be equal to three thousand dollars (\$3,000) per  
23 certified teacher and administrator in the school plus one thousand five  
24 hundred dollars (\$1,500) for support staff in the school.

25       (2) The state board shall promulgate rules and regulations that  
26 explicate what the student achievement improvement goals are and how they  
27 will be determined.

28  
29       SECTION 19. Arkansas Code § 6-18-508 is amended to read as follows:

30       6-18-508. Alternative learning environment.

31       (a) For purposes of this subchapter:

32           (1) "Alternative learning environment" is an educational setting  
33 which offers nontraditional/flexible instructional methods that enable all  
34 students to participate in the educational process and to prevent dropping  
35 out;

36           (2) "At-risk students" are those in the public school whose

1 educational and social progress deviates from the standard expected for a  
2 successful transition to a productive adult life. An at-risk student, though  
3 intelligent and capable, typically manifests one (1) or more of the following  
4 characteristics:

5 (3) "Disruptive behavior" is behavior that interferes with the  
6 student's own learning or the educational process of others and requires  
7 attention and assistance beyond what the traditional program provides,  
8 behavior that severely threatens the general welfare of other, and frequent  
9 conflicts of a disruptive nature while the student is under the jurisdiction  
10 of the school, either in or out of the classroom;

11 (4) "Dropping out" is leaving school without graduating or  
12 completing a state- or district-approved secondary program;

13 (5) "Nontraditional flexible instructional methods" are  
14 innovative methods of instructional delivery such as flexible timeframes,  
15 variable credit delivery systems, applied learning, integrated curriculum,  
16 and work-based learning;

17 (A) Recurring absenteeism;

18 (B) Disruptive behavior;

19 (C) Drop out from school;

20 (D) Personal or family problems or situations;

21 (E) Transition to or from residential programs; and

22 (F) Standardized test scores or assessment portfolios

23 which indicate that the student is nine (9) months or more behind-grade  
24 level, is one (1) or more years behind grade-level in accumulation of credits  
25 for graduation, or has been retained one (1) or more times;

26 (6) "Personal and family problems or situations" are conditions  
27 that negatively affect the student's academic and social progress. These may  
28 include, but are not limited to:

29 (A) Pregnancy;

30 (B) Single parenting;

31 (C) Mental/physical health problems;

32 (D) Frequent relocation of residency;

33 (E) Homelessness;

34 (F) Abuse, including, physical, mental, sexual abuse; and

35 (G) Inadequate emotional support; and

36 (7) "Students in transition" are those moving to or from

1 residential programs such as detention, psychiatric treatment, legal  
 2 commitment, and substance abuse rehabilitation.

3 (b) The following shall apply to student admission:

4 (1) A student should be assigned to an alternative learning  
 5 environment for no fewer than twenty (20) consecutive school days;

6 (2)(i) A student assigned to an alternative learning environment  
 7 should be assessed within twenty (20) school days. The student assessment  
 8 profile should include information on behavioral assessment, attendance  
 9 records, and problems both in and out of school.

10 (ii) Screening should be conducted to diagnose  
 11 learning difficulties and achievement deficits;

12 (3) Eligible students with disabilities defined by the  
 13 Individuals with Disabilities Education Act (IDEA), Public Law 94-142, as  
 14 amended, may be placed in an alternative learning environment.

15 alternative learning environments shall provide access to appropriate  
 16 education services consistent with federal laws and regulations;

17 (4) Each alternative learning environment shall have a plan to  
 18 involve parents, guardians, or other parties responsible for the student; and

19 (5) The district or districts operating the alternative learning  
 20 environment shall not discriminate against any student or group of students  
 21 on the basis of race, gender, handicap, or religious belief in the criteria  
 22 for admission or in operating the alternative learning environment.

23 (c) ~~(a)~~ Every school district shall establish an alternative learning  
 24 environment which shall afford students an environment conducive to learning.

25 (d)(1) ~~(b)~~ The alternative learning environment required by this  
 26 section may be established by more than one (1) school district ~~or may be~~  
 27 ~~operated by a public school educational cooperative established under § 6-13-~~  
 28 ~~901 et seq~~ or an education service center.

29 (2) The alternative learning environment must meet the following  
 30 criteria:

31 (A) Have students supervised by a currently-licensed  
 32 teacher;

33 (B)(i) Have a student-to-teacher ratio in the alternative  
 34 learning environment of no more than fifteen (15) to one (1).

35 (ii) Have a student-to-teacher ratio of no more than  
 36 twenty (20) to one (1) if an aide is employed in addition to a licensed

1 supervisor.

2 (iii) Have a ratio of one (1) certified employee for  
3 every fifteen (15) full-time students;

4 (C) Provide each alternative learning student access to  
5 the services of a school counselor, a mental health professional, a social  
6 worker, and other district resources, including, but not limited to  
7 transportation, health services, and free or reduced price lunch;

8 (D) Provide a curriculum including mathematics, science,  
9 social studies, and language arts correlated with the regular classroom  
10 instruction or with the standards for the General Educational Development  
11 tests; and

12 (E) Provide comprehensive staff development which includes  
13 such topics as conflict management, interpersonal skills and human  
14 development, counseling and group process skills, positive approaches to  
15 behavior management and discipline, stress management, and building self-  
16 confidence for all regular, certified, or classified staff.

17 (3) The Department of Education shall randomly monitor school  
18 districts to ensure that alternative learning environments have been  
19 established, are conducive to learning, and are providing intervention  
20 services designed to address individual needs of students. Each school  
21 district shall be monitored at least once every three (3) years.

22 (e) ~~(e)~~ The Department of Education shall establish criteria for  
23 teacher preparation for alternative learning environments, which shall  
24 include in-service training.

25 ~~(d)(1)(A)(f)(1)(A) (d)Each school district shall report to the~~  
26 ~~department, on a yearly basis, the race, gender, and other pertinent~~  
27 ~~information regarding students placed in an alternative learning environment~~  
28 ~~Districts must submit an annual report to the Department of Education using a~~  
29 ~~format developed by the department. Each operating alternative learning~~  
30 ~~environment should maintain information, including, but not limited to, the~~  
31 ~~following:~~

32 (i) Number of students

33 (ii) Length of enrollments

34 (iii) Attendance rate

35 (iv) Age of students

36 (v) Race and gender of students

1 (vi) Grade level at the time of entry and exit from  
 2 the program

3 (vii) Reasons for admission

4 (viii) Current status of students on date of the  
 5 report.

6  
 7 (B) This information shall be reported by the department  
 8 to the Joint Interim Oversight Subcommittee on Educational Reform by  
 9 September 15 of each year.

10 (2) The Arkansas Pygmalion Commission on Nontraditional  
 11 Education will also report its findings by the same time each year to the  
 12 same legislative body.

13 (g) ~~(e)~~ All funding for alternative education programs distributed  
 14 outside the funding formula and which meets the guidelines developed by the  
 15 department shall be released at the beginning of the school year or  
 16 distributed proportionally along with the state aid to school districts. Any  
 17 funds received by a local school district for alternative learning  
 18 environments may only be expended for eligible alternative learning  
 19 environment programs.

20 (h) ~~(f)~~ For the 1999-2000 school year and each year thereafter, the  
 21 department will develop an incentive program for those school districts whose  
 22 alternative education programs have met the guidelines. The State Board of  
 23 Education may promulgate rules and regulations to implement this section.

24  
 25 SECTION 20. Effective July 1, 2004, the Insurance Services Division of  
 26 the Department of Education is transferred by a Type 3 transfer as provided  
 27 in Arkansas Code § 25-2-105 to the State Insurance Department.

28 Any and all statutory and regulatory authority, powers, duties,  
 29 functions, records, property, and funds administered or provided by other  
 30 support divisions within the Department of Education or the State Board of  
 31 Education for The Public Elementary and Secondary School Self Insurance Act  
 32 of 1973 § 6-20-1501 et seq. or the Insurance Service Division of the  
 33 Department of Education shall be transferred by a Type 3 transfer as provided  
 34 in Arkansas Code § 25-2-105 to the State Insurance Department.

35  
 36 SECTION 21. Arkansas Code § 26-80-111 is amended to read as follows:

1           26-80-111. School districts formed by consolidation, annexation, or  
2 merger.

3           (a) When a new school district is created from all or parts of two (2)  
4 or more districts or a district is dissolved and all or part of the area of  
5 the dissolved district is annexed to or consolidated with an existing  
6 district, the board of directors of the resulting district shall submit to  
7 the electors of the district at the next annual school election a proposed  
8 tax millage rate for the district. If the proposed millage rate is approved  
9 by the electors of the district, it shall be the rate for the district,  
10 provided such rate complies with the uniform rate of tax.

11           (b) If a new school district is created from all or parts of two (2)  
12 or more districts or a district is dissolved and all or part of the area of  
13 the dissolved district is annexed to or consolidated with an existing  
14 district and if the electors have failed to approve a proposed millage rate  
15 at a an annual school election, then the millage rate for the district shall  
16 be the millage rate levied, at the last school election prior to the  
17 consolidation, annexation or merger in the district which had the highest  
18 average daily membership during the school year preceding the consolidation,  
19 annexation, or merger, provided such rate complies with the uniform rate of  
20 tax then the tax shall be collected at the rate approved in the last  
21 preceding school election. However, if the rate last approved has been  
22 modified pursuant to the Arkansas Constitution, Amendment 74, subsection (b)  
23 or subdivision (c)(2), then the tax shall be collected at the modified rate  
24 until another rate is approved.

25  
26           SECTION 22. REALIGNMENT OF THE DEPARTMENT OF EDUCATION. NOT TO BE  
27 INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL,  
28 LOCAL, AND TEMPORARY LAW.

29           (a)(1)(A) Following the implementation of this act, the Department of  
30 Education shall reorganize.

31           (B) The purpose of the reorganization shall be for the  
32 department to maximize its role as the active senior partner with the schools  
33 and prepare to intervene immediately rather than after the school or school  
34 district fails.

35           (C)(i) To reorganize, the department shall form a taskforce  
36 consisting of key department personnel, school district personnel, teachers,

1 and other stakeholders to conduct a study the department's delivery system  
2 and make recommendations for the department's reorganization.

3 (ii)(a) As part of the study, the taskforce shall conduct  
4 a comprehensive review of the salaries of individuals necessary to fulfill  
5 the department's constitutional mission.

6 (b) This study shall include equity adjustments to  
7 recognize differences in responsibility, performance, or seniority.

8 (c) Qualifications and salary levels shall be  
9 comparable to those of similar employees in school districts or in other  
10 state education agencies.

11 (b) Following the work of the taskforce under this section, the  
12 Department of Education shall present proposed changes in staff grades and  
13 salaries to the Joint Budget Committee at the earliest opportunity for the  
14 purpose of preparing suggested legislation to be approved by the General  
15 Assembly.

16 (c) The Director of the Department of Education shall have the  
17 authority to transfer any unclassified position to the Office of Public  
18 School Accountability, the Office of Education Renewal Zones, or the Office  
19 of Public School Academic Facilities.

20 (d) The restructuring of the department shall be conducted in a manner  
21 that will provide sufficient personnel within the department to provide  
22 administrative and technology support the Office of Public School  
23 Accountability, the Office of Education Renewal Zones, and the Office of  
24 Public School Academic Facilities at a level that is sufficient for the  
25 offices to carry out the duties set forth in this act.

26 (e) In the restructuring of the department the Director of the  
27 department may require the Department of Education, the Office of Public  
28 School Academic Facilities, and the Office of Public School Accountability,  
29 and the Office of Education Renewal Zones to coordinate and share certain  
30 administrative, custodial, legal, internal finance, and other necessary  
31 personnel to effectuate the daily operations of those offices and the  
32 department.

33  
34 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the  
35 General Assembly of the State of Arkansas that the Arkansas Supreme Court in  
36 Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the



1 now existing system of education to be unconstitutional because it is both  
2 inequitable and inadequate; and the Arkansas Supreme Court set forth the test  
3 for a constitutional system to be one in which the State has an “absolute  
4 duty” to provide an “equal opportunity to an adequate education”; and the  
5 Arkansas Supreme Court instructed the General Assembly to define and provide  
6 what is necessary to provide an adequate and equitable education for the  
7 children of Arkansas. Therefore, an emergency is declared to exist and this  
8 act being immediately necessary for the preservation of the public peace,  
9 health, and safety shall become effective on:

10 (1) The date of its approval by the Governor;

11 (2) If the bill is neither approved nor vetoed by the Governor,  
12 the expiration of the period of time during which the Governor may veto the  
13 bill; or

14 (3) If the bill is vetoed by the Governor and the veto is  
15 overridden, the date the last house overrides the veto.

16 */s/ Argue*

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