

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

Call Item 4

# A Bill

SENATE BILL 65

5 By: Senators Broadway, Bisbee  
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7

## For An Act To Be Entitled

9 THE CONTINUING ADEQUACY EVALUATION ACT OF 2004.  
10

### Subtitle

11 THE CONTINUING ADEQUACY EVALUATION ACT  
12 OF 2004.  
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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18 SECTION 1. Arkansas Code Title 10, Chapter 3, is amended to add an  
19 additional subchapter to read as follows:

20 10-3-2101. Purpose and findings.

21 (a) The General Assembly recognizes that it is the state's  
22 responsibility to:

23 (1) Develop what constitutes an adequate education in Arkansas  
24 pursuant to the mandate of the Arkansas Supreme Court and to conduct an  
25 adequacy study, which has been completed; and

26 (2) Know how state revenues are being spent and whether true  
27 equality in educational opportunity is being achieved.

28 (b) The General Assembly also recognizes no one (1) study can fully  
29 define what is an adequate, efficient, and equitable education.

30 (c) The General Assembly further recognizes that, while the adequacy  
31 study performed in 2003 is an integral component towards satisfying the  
32 requirements imposed by the Arkansas Supreme Court, the General Assembly has  
33 a continuing duty to assess what comprises an adequate education in Arkansas.

34 (d) Therefore, because the state has an absolute duty to provide the  
35 school children of Arkansas with an adequate education, the General Assembly  
36 finds that ensuring that an adequate and equitable system of public education



1 is available in the state shall be the ongoing priority for the state.

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3 10-3-2002. Duties.

4 (a) During each interim, the House Interim Committee on Education and  
5 the Senate Interim Committee on Education shall meet, separately or jointly,  
6 as needed, to:

7 (1) Assess, evaluate, and monitor the entire spectrum of public  
8 education across the state to determine whether equal educational opportunity  
9 for an adequate education is being substantially afforded to Arkansas' school  
10 children and recommend any necessary changes;

11 (2) Review and continue to evaluate what constitutes an adequate  
12 education in Arkansas and recommend any necessary changes;

13 (3) Review and continue to evaluate the state's method of  
14 providing equality of educational opportunity and recommend any necessary  
15 changes;

16 (4) To evaluate the effectiveness of any program implemented by  
17 a school, a school district, an education service cooperative, the Department  
18 of Education, or the State Board of Education and recommend necessary  
19 changes;

20 (5) Review the average teacher salary in the state in comparison  
21 to average teacher salaries in surrounding states and member states of the  
22 Southern Regional Education Board and make recommendations for any necessary  
23 changes to Arkansas teacher salaries established by law;

24 (6) Review and continue to evaluate the costs of an adequate  
25 education for all students in Arkansas, taking into account cost of living  
26 variances, diseconomies of scale, transportation variability, demographics,  
27 school districts with a disproportionate number of students who are  
28 economically disadvantaged or have educational disabilities, and other  
29 factors as deemed relevant, and recommend any necessary changes;

30 (7) Review and continue to evaluate the amount of per student  
31 expenditure necessary to provide an equal educational opportunity and the  
32 amount of state funds to be provided to school districts, based upon the cost  
33 of an adequate education and monitor the expenditures and distribution of  
34 state funds and recommend any necessary changes;

35 (8) Review and monitor the amount of funding provided by the  
36 state for an education system based on need and the amount necessary to

1 provide an adequate educational system and not on the amount of funding  
 2 available, and make recommendations for funding for each biennium.

3 (b) As a guidepost in conducting deliberations and reviews, the  
 4 committees shall use the opinion of the Arkansas Supreme Court in the matter  
 5 of Lake View School District No. 25 of Phillips County, Arkansas, et al., vs.  
 6 Governor Mike Huckabee, et al. issued on November 21, 2002, and other legal  
 7 precedent.

8 (c) The Department of Education, the Department of Workforce  
 9 Education, and the Department of Higher Education shall provide the  
 10 committees with assistance and information as requested by the committees.

11 (d) The Attorney General is requested to provide assistance to the  
 12 committees as needed.

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 14 10-3-2003. Investigations.

15 (a) The House Interim Committee on Education and the Senate Interim  
 16 Committee on Education shall have authority to conduct investigations  
 17 pertaining to the effectiveness of any and all education programs of any  
 18 school, school district, education service cooperative, educational  
 19 institution, the Department of Education, or its successors, the State Board  
 20 of Education or any department under the state board's authority.

21 (b)(1) In connection with any investigation, the committees shall have  
 22 the right and the power to subpoena witnesses and to issue subpoena duces  
 23 tecum, pursuant to § 10-3-208.

24 (2) The chairs and the cochairs of each committee are authorized  
 25 to administer oaths.

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 27 10-3-2004. Report.

28 (a) The House Interim Committee on Education and Senate Interim  
 29 Committee on Education shall file, separately or jointly, or both, reports of  
 30 their findings and recommendations with the President Pro Tempore of the  
 31 Senate and the Speaker of the House of Representatives no later than  
 32 September 1 of each year prior to the convening of a regular session.

33 (b) The report shall include for each recommendation, proposed  
 34 implementation schedules with timelines, specific steps, agencies and persons  
 35 responsible, resources needed, and drafts of bills proposing all necessary  
 36 and recommended legislative changes.

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