

Stricken language would be deleted from and underlined language would be added to present law.
Act 106 of the 2nd Extraordinary Session

1 State of Arkansas *As Engrossed: H12/19/03 H1/27/04 S2/2/04* Call Item 4
2 84th General Assembly **A Bill**
3 Second Extraordinary Session, 2003 HOUSE BILL 1056
4

5 By: Representatives C. Johnson, Chesterfield, Clemons, Dobbins, Eason, Elliott, Green, Jones, Thomas,
6 White, House
7 By: Senators Wilkins, Steele
8
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10 **For An Act To Be Entitled**

11 AN ACT TO CREATE THE *DIVISION* OF EDUCATION
12 RENEWAL ZONES; AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 AN ACT TO CREATE THE *DIVISION* OF
16 EDUCATION RENEWAL ZONES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. *Creation of the Division of Education Renewal Zones.*

22 (a) *There is created a Division of Education Renewal Zones.*

23 (b) *The division shall be under the supervision of the State Board of*
24 *Education.*

25 (c)(1) *The state board shall select an individual to serve as the*
26 *Director of the Division of Education Renewal Zones.*

27 (2) *The Director of the Division of Education Renewal Zones,*
28 *with guidance and approval from the board, shall be responsible for hiring*
29 *all employees of the division.*

30 (3) *The Director of the Arkansas Department of Higher Education*
31 *shall assign one (1) individual from the staff of the Department of Higher*
32 *Education to serve as a liaison to the division.*

33 (d) *The division shall be responsible for developing guidelines for*
34 *the approval of education renewal zone strategic plans and guidelines for the*
35 *evaluation and reporting of education renewal zone activities.*

36 (e) *The division shall approve any education renewal zone strategic*



1 plan prior to the disbursal or annual renewal of funds to participating
2 institutions of higher education.

3 (f)(1) Effective July 1, 2004, any public school, education service
4 cooperative and institution of higher education is authorized to enter into
5 one (1) or more inter-local agreements through which they collaborate to
6 improve public school performance and academic achievement.

7 (2) Each inter-local agreement shall establish an education
8 renewal zone.

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

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

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

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

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

26 (g) Each education renewal zone shall consist of the following:

27 (1)(A) A higher education partner.

28 (B) The division shall develop, publish and disseminate
29 guidelines for establishing an education renewal zone, including a process
30 for selecting a qualified higher education partner in the service cooperative
31 areas in the state and in Pulaski County.

32 (C)(i) A qualified higher education partner shall:

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

35 (b) Be capable of demonstrating a willingness
36 and flexibility to restructure its programs and services to meet the needs of

1 the participating grades kindergarten through twelve (K-12) schools and
2 school districts.

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

6 (D) If there is no qualified four-year higher education
7 institution located within the education service cooperative area, the
8 division may select:

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

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

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

18 (2)(A) An Education Service Cooperative.

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

23 (3)(A) Public Schools.

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

27 (ii) Public schools designated by the Department of
28 Education as a school in school improvement or a school in a school district
29 designated by the department as being in academic distress shall participate
30 in an education renewal zone, if requested to do so by the department and the
31 division working with the department shall establish priorities of
32 establishing education renewal zones for those schools, which shall be
33 contingent on the appropriation a availability of funding for the renewal
34 zones.

35 (iii) Acceptance or rejection of the application by
36 a school for admittance to an education renewal zone shall be the

1 responsibility of the division, with consultation from the higher education
2 partner.

3 (iv) The division may include within an education
4 renewal zone any school within the education service cooperative area
5 provided that no more than ten (10) schools may participate in any single
6 education renewal zone.

7 (v) The division may designate up to a maximum of
8 three (3) education renewal zones within any single education service
9 cooperative area.

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

13 (i) The school is classified as a school in school
14 improvement or alert status for school improvement under the Arkansas state
15 compliance plan under the federal No Child Left Behind Act of 2001, 20 U.S.C.
16 § 6301 et seq.;

17 (ii) The school lies within a school district
18 designated by the Department of Education as in academic distress or
19 financial distress under the Arkansas Comprehensive Testing, Assessment, and
20 Accountability Program;

21 (iii) The school demonstrates an inability to hire
22 and retain highly qualified teachers as defined by the state plan for
23 compliance with the federal No Child Left Behind Act of 2001, 20 U.S.C.S. §
24 6301 et seq.;

25 (iv) The school demonstrates an inability to provide
26 the minimum number of course offerings as determined by the state through the
27 conventional hiring of qualified teachers;

28 (v) The school is within a school district with an
29 average daily membership of fewer than one thousand five hundred (1,500)
30 students; or

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

34 (4)(A) A Local Advisory Group.

35 (B) Each education renewal zone shall form a local
36 advisory group comprised of a representative of the following groups:

1 (i) The higher education partner

2 (ii) The education service cooperative which
3 includes the area in which the education renewal zone is located;

4 (iii) The public school or school district
5 participating in the education renewal zone;

6 (iv) Two (2) parents who have children attending a
7 public school participating in the education renewal zone; and

8 (v) Each community in which there is a school
9 participating in the education renewal zone.

10 (C) The division may designate up to a maximum of three
11 (3) education renewal zones within any single education service cooperative
12 area.

13 (D) The membership and staff of local advisory groups
14 shall be reflective of the diversity of the population being served by the
15 education renewal zone.

16 (5)(A) A Technical Assistance Provider.

17 (B) Any two-year community or technical college, technical
18 support organization, or other entity may participate in the education
19 renewal zone at the discretion of the division and in collaboration with a
20 designated higher education partner and a designated education service
21 cooperative.

22 (h) The division, the state board, and the local school districts
23 shall exercise due diligence to assure that all schools classified as a
24 school in school improvement under the federal No Child Left Behind Act of
25 2001, 20 U.S.C. § 6301 et seq., as in existence on December 1, 2003, are
26 included in a designated education renewal zone.

27 (i) The division may, at its discretion, include any school regardless
28 of its eligibility under the criteria in subdivisions (g)(3)(C)(i) through
29 (vi) of this section, if it determines that on the basis of location,
30 characteristics of its faculty or leadership, needs of the students, or other
31 factors, that the inclusion of such school significantly strengthens the
32 prospect of the education renewal zone in meeting its school improvement
33 goals.

34 (j) The division may, at its discretion, change participating schools
35 within each education renewal zone.

36 (k)(1) Each school participating in an education renewal zone shall

1 develop and implement a school improvement plan.

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

4 (A) Goals for improving student achievement;

5 (B) Measurable benchmarks for achieving student
6 improvement goals;

7 (C) A timeline for reaching goals in improving student
8 achievement; and

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

11 (1) The partners within a specific education renewal zone shall
12 develop a strategic plan that is responsive to the needs of the individual
13 school improvement plans.

14 (m) The education renewal zone strategic plan shall at a minimum
15 provide for the following:

16 (A) Collaboration between and among the higher education
17 institution partners, education service cooperatives, schools, and
18 communities participating in the education renewal zone, including within the
19 academic departments within the higher education institution partners;

20 (B)(1) A comprehensive program of professional development
21 to assure the practical knowledge base of pre-service and in-service teachers
22 with respect to pedagogical practice, content knowledge, and competent use of
23 distance learning technology;

24 (2) Funds received by school districts for the
25 Department of Education Public School Fund Account for professional
26 development may be used to provide funding for the professional development
27 requirements of the education renewal zone school district partners.

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

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

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

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

3 (G) Active participation of the community in the work of
4 the school;

5 (H) Active involvement of parents in the academic work of
6 the student; and

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

10 (n) Each education renewal zone, using guidelines and indicators set
11 by the division, shall prepare an annual report to the division describing
12 the progress toward accomplishing the goals of the education renewal zone.

13 (o) The division shall prepare an annual report to the Governor, the
14 General Assembly, and the State Board of Education describing the progress
15 toward accomplishing the goals of the individual education renewal zones and
16 the overall education renewal zone program.

17 (p) The division shall establish a website, accessible by the public,
18 to provide for broad dissemination of both the education renewal zone plans
19 and strategies and the results of the annual reports on progress toward
20 accomplishing the goals of the individual education renewal zones and the
21 overall education renewal zone program.

22 (q) The provisions of this section shall be contingent on the
23 appropriation and availability of funding for the program.

24 **EMERGENCY CLAUSE FAILED TO PASS**

25 ~~SECTION 2. EMERGENCY CLAUSE. It is found and determined by the~~
26 ~~General Assembly of the State of Arkansas that the Arkansas Supreme Court in~~
27 ~~Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002), declared~~
28 ~~the current system of education to be unconstitutional because it is both~~
29 ~~inequitable and inadequate; and the Arkansas Supreme Court set forth the test~~
30 ~~for a constitutional system to be one in which the state has an "absolute~~
31 ~~duty" to provide an "equal opportunity to an adequate education"; the~~
32 ~~Arkansas Supreme Court instructed the General Assembly to undertake actions~~
33 ~~as necessary to provide an opportunity for an adequate and equitable~~
34 ~~education for the children of Arkansas; and the provisions of this bill are~~
35 ~~necessary steps toward accomplishing that goal. Therefore, an emergency is~~
36 ~~declared to exist and this act being immediately necessary for the~~

1 ~~preservation of the public peace, health, and safety shall become effective~~
2 ~~on:~~

3 ~~_____ (1) The date of its approval by the Governor;~~

4 ~~_____ (2) If the bill is neither approved nor vetoed by the Governor,~~
5 ~~the expiration of the period of time during which the Governor may veto the~~
6 ~~bill; or~~

7 ~~_____ (3) If the bill is vetoed by the Governor and the veto is~~
8 ~~overridden, the date the last house overrides the veto.~~

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/s/ C. Johnson

APPROVED: 2/10/2004