

1 State of Arkansas *As Engrossed: S1/29/13, S3/14/13*

2 89th General Assembly

# A Bill

3 Regular Session, 2013

SENATE BILL 66

4

5 By: Senators Elliott, J. Key, E. Cheatham, A. Clark, U. Lindsey, Bookout, K. Ingram, Maloch, D. Sanders,  
6 R. Thompson, D. Wyatt

7 By: Representatives Lenderman, C. Armstrong, D. Altes, Baltz, Copenhaver, H. Wilkins

8

9

## For An Act To Be Entitled

10 AN ACT TO IMPROVE EDUCATION IN ARKANSAS BY CREATING

11 DISTRICTS OF INNOVATION; AND FOR OTHER PURPOSES.

12

13

14

## Subtitle

15 TO IMPROVE EDUCATION IN ARKANSAS BY

16 CREATING DISTRICTS OF INNOVATION.

17

18

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

20

21 *SECTION 1. Arkansas Code Title 6, Chapter 15, is amended to add an*  
22 *additional subchapter to read as follows:*

23

24 *Subchapter 28 – District of Innovation Program*

25

26 *6-15-2801. Definitions.*

27 *As used in this subchapter:*

28 *(1) "District of innovation" means a public school district with*  
29 *one or more schools of innovation that has:*

30 *(A) Developed a school of innovation plan in compliance*  
31 *with § 6-15-2803;*

32 *(B) Obtained necessary exceptions from laws, rules, and*  
33 *local policies to improve the educational performance of students from*  
34 *Commissioner of Education; and*

35 *(C) Been approved as a district of innovation by the*  
36 *commissioner;*



1 (2) "Eligible employees" means the employees who are employed at  
2 a school that is considering being designated as a school of innovation;

3 (3) "Innovation" means a new or creative alternative to the  
4 existing instructional and administrative practices that is intended to  
5 improve academic performance and learning for all students;

6 (4)(A)(i) "School council of innovation" means a body of  
7 individuals from a current or aspiring school of innovation composed of  
8 teachers, classified employees, the building-level principal or his or her  
9 administrative designee, parents, community members, a minimum of two (2)  
10 students from the school of innovation, and other interested parties selected  
11 by the council to participate.

12 (ii) The teacher representatives shall be elected by  
13 a majority vote of the school's licensed eligible employees.

14 (iii) The classified representatives shall be  
15 elected by a majority vote of the school's classified eligible employees.

16 (iv)(a) The parent representatives shall be selected  
17 by a majority vote of the attendees at a meeting called for the purpose of  
18 selecting the school's parent representatives and shall have a child in the  
19 school to be eligible to serve on the council.

20 (b) Schools with a ten percent (10%) or  
21 greater minority student population shall have minority representation on the  
22 council.

23 (B) The school council of innovation shall:

24 (i) Generate innovative ideas and proposals of its  
25 own;

26 (ii) Determine a method for requesting innovative  
27 ideas and proposals from school employees, community members, and other  
28 stakeholders to be submitted to the council;

29 (iii) Receive innovative ideas and proposals from  
30 school employees, community members, and other stakeholders;

31 (iv) Consider all innovative ideas and proposals  
32 submitted by community members and other stakeholders; and

33 (v) Determine the content and format of the plan  
34 that will be voted on by the eligible employees.

35 (C) The council may create subcommittees, which may  
36 include non-council members, to work on developing portions of the plan; and

1 (5)(A) "School of innovation" means a school that participates  
2 in a district of innovation to transform and improve teaching and learning.

3 (B) A school of innovation's plan is subject to the  
4 exceptions approved by the commissioner for the school of innovation.

5  
6 6-15-2802. School of innovation designation – Rules.

7 (a) The Commissioner of Education may approve a public school as a  
8 school of innovation for the purpose of transforming and improving the  
9 teaching and learning under § 6-15-2803.

10 (b)(1) A school of innovation shall be approved for a period of four  
11 (4) years and may be renewed for four-year periods thereafter.

12 (2) The commissioner may revoke the school of innovation  
13 designation if a school fails to substantially fulfill the school's  
14 innovation plan, meet goals and performance targets, or comply with  
15 applicable laws or rules.

16 (c) The State Board of Education shall adopt rules to administer this  
17 subchapter, including without limitation rules that address the:

18 (1) Rules subject to exemption or modification for a school of  
19 innovation plan if approved by the commissioner;

20 (2) Application, school of innovation plan review, approval, and  
21 amendment process for a public school district to establish a school of  
22 innovation;

23 (3) Timeline for initial approval of a school of innovation and  
24 subsequent renewal, including any ongoing evaluations of a school of  
25 innovation;

26 (4) Documentation required to show meaningful parental,  
27 educator, and community engagement and capacity for the changes identified in  
28 the school of innovation plan;

29 (5) Approval by the eligible employees of a school of  
30 innovation;

31 (6) Evidence of teacher collaboration and shared leadership  
32 responsibility within each school seeking to become a school of innovation;

33 (7) Process for revocation of a designation as a district of  
34 innovation or school of innovation;

35 (8) Reporting and oversight responsibility of the school of  
36 innovation and the Department of Education;

1 (9) Budget and financial details of the school of innovation;  
2 and

3 (10) Other information necessary as determined by the state  
4 board.

5  
6 6-15-2803. School of innovation plan.

7 (a) A school district shall submit its school of innovation plan,  
8 approved by the school board of directors, to the Commissioner of Education  
9 for approval to become a school of innovation.

10 (b) A school of innovation plan shall address without limitation:

11 (1) The goals and performance targets for the school of  
12 innovation, which may include:

13 (A) Reducing the achievement gap among one (1) or more  
14 groups of students by accelerating learning experiences for academically low-  
15 achieving students while increasing all student learning through the  
16 implementation of highly rigorous standards for student performance;

17 (B) Increasing student participation in curriculum  
18 options;

19 (C) Exploring new avenues for expanding students' college  
20 and career readiness;

21 (D) Motivating students by exploring innovative teaching  
22 and learning choices; and

23 (E) Transforming a school's culture and climate in a  
24 manner that will lead to transformative teaching and learning.

25 (2) Changes needed in the school that will lead to better  
26 prepared students for success in life and career; and

27 (3) Innovative practices to be used in the school of innovation.

28 (c) Schools of innovation shall document the:

29 (1) Parental, school employee, and community engagement;

30 (2) Capacity for the proposed school of innovation;

31 (3) Rationale for law, rule, and local policy exception  
32 requests;

33 (4) Progress toward goals and performance targets; and

34 (5) Other information requested by the commissioner.

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36 6-15-2804. School of innovation.

1 (a) A school that is designated a school of innovation shall:

2 (1) Ensure that the same health, safety, civil rights, and  
3 disability rights requirements are in place as those that apply to all other  
4 public schools;

5 (2) Ensure that the high school curriculum offered meets or  
6 exceeds the minimum high school graduation requirements adopted by the State  
7 Board of Education;

8 (3) Adhere to financial audits, audit procedures, and audit  
9 requirements adopted by the state board for public school districts;

10 (4) Require criminal background checks for school employees and  
11 volunteers as required by law for public school districts;

12 (5) Comply with open records and open meeting requirements;

13 (6) Comply with purchasing limitations and requirements;

14 (7)(A) Provide instructional time that meets or exceeds the  
15 instructional time requirement adopted by the state board unless granted an  
16 exception by the Commissioner of Education.

17 (B) Instructional time may include on-site instruction,  
18 distance or virtual learning, and work-based learning on nontraditional  
19 school days or hours;

20 (8) Provide data requested by the Department of Education to  
21 generate reports; and

22 (9) Adhere to the Teacher Fair Dismissal Act, § 6-17-1501 et  
23 seq.

24 (b)(1) Before a public school district submits a school of innovation  
25 plan to the commissioner, the eligible employees of each proposed school of  
26 innovation shall vote on whether the school shall be designated a school of  
27 innovation.

28 (2) A minimum of sixty percent (60%) of the eligible employees  
29 voting in support of the school's being designation as a school of innovation  
30 is required before the school's innovation plan may be submitted to the  
31 school board of directors for approval.

32 (3) The school council of innovation shall be responsible for  
33 conducting the vote required under subdivision (b)(1) of this section.

34 (c) A school of innovation plan may request exemptions from local  
35 policies and specific laws and rules approved for exemption or modification  
36 by the state board except the Teacher Fair Dismissal Act, § 6-17-1501 et seq.

1 (d) A public school district with a negotiated employment contract in  
2 place shall follow the procedure set forth within the contract that allows  
3 the implementation of a school of innovation.

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5 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
6 General Assembly of the State of Arkansas that all children in our state are  
7 entitled to an equal opportunity for an adequate education; that provisions  
8 of this act will help ensure that Arkansas students receive additional  
9 opportunities for educational success through a district of innovation  
10 program; and that this act is immediately necessary to ensure that the  
11 district of innovation program is established for the 2013-2014 school year.  
12 Therefore, an emergency is declared to exist, and this act being immediately  
13 necessary for the preservation of the public peace, health, and safety shall  
14 become effective on:

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

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

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

21  
22 /s/Elliott

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25 **APPROVED: 04/04/2013**