

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: H3/27/19

# A Bill

SENATE BILL 538

5 By: Senator J. Sturch  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING OPEN-ENROLLMENT PUBLIC CHARTER  
9 SCHOOLS; TO AMEND PROVISIONS OF THE CODE WITH RESPECT  
10 TO OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL AND  
11 TRADITIONAL PUBLIC SCHOOL WAIVERS; TO AMEND  
12 PROVISIONS CONCERNING SCHOOLS OF INNOVATION; AND FOR  
13 OTHER PURPOSES.  
14  
15

## Subtitle

16  
17 *TO AMEND PROVISIONS OF THE CODE WITH*  
18 *RESPECT TO OPEN-ENROLLMENT PUBLIC CHARTER*  
19 *SCHOOL AND TRADITIONAL PUBLIC SCHOOL*  
20 *WAIVERS; AND TO AMEND PROVISIONS*  
21 *CONCERNING SCHOOLS OF INNOVATION.*  
22  
23

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

26 SECTION 1. Arkansas Code § 6-15-103 is amended to read as follows:

27 6-15-103. School district waivers.

28 (a) A public school district may petition the State Board of Education  
29 for all or some of the waivers granted to an open-enrollment public charter  
30 school ~~that draws students from the school district.~~

31 (b) The petition for all or some of the waivers granted to an open-  
32 enrollment public charter school that is submitted by a public school  
33 district shall include without limitation:

34 (1) The name of the open-enrollment public charter school that  
35 ~~draws students from the school district~~ has the requested waiver;

36 (2) A copy of the waivers granted to the open-enrollment public



1 charter school; and

2 (3) A list of the waivers that the public school district seeks  
3 to have granted.

4 (c)(1) The state board shall grant, in whole or in part, or deny, in  
5 whole or in part, a petition for a waiver submitted by a public school  
6 district within ninety (90) days of receiving the petition.

7 (2) The state board shall notify the superintendent of the  
8 public school district in writing of the decision of the state board.

9 (3) A waiver that is granted to a public school district, in  
10 whole or in part, shall be valid for the duration approved by the state board  
11 not to exceed the duration that the ~~waivers are~~ waiver is valid for the open-  
12 enrollment charter school.

13 (4) A waiver under this section shall not be granted for a  
14 period of time exceeding five (5) years.

15 (d) The Department of Education may promulgate rules to implement this  
16 section.

17  
18 SECTION 2. Arkansas Code § 6-15-2801(1)(A), concerning qualification  
19 as a district of innovation, is amended to read as follows:

20 (A) ~~Developed~~ Submitted a school of innovation ~~plan~~  
21 application in compliance with § 6-15-2803;

22  
23 SECTION 3. Arkansas Code § 6-15-2802(a), concerning approval of a  
24 public school as a school of innovation, is amended to read as follows:

25 (a)(1) The Commissioner of Education may approve a public ~~school as a~~  
26 school's application to become a school of innovation for the purpose of  
27 transforming and improving the teaching and learning under § 6-15-2803.

28 (2) The Department of Education may designate a public school as  
29 a school of innovation under subdivision (a)(1) of this section if the public  
30 school has met the objectives outlined in the public school's application to  
31 become a school of innovation within the time period established in the  
32 public school's application.

33  
34 SECTION 4. Arkansas Code § 6-15-2802(b)(2), concerning the revocation  
35 of a public school's designation as a school of innovation, is amended to  
36 read as follows:

1           (2) The commissioner may revoke ~~the a public school's~~ school of  
2 innovation designation if a the public school fails to substantially fulfill  
3 ~~the school's~~ the school of innovation plan as established in the public  
4 school's school of innovation application, meet goals and performance  
5 targets, or comply with applicable laws or rules.

6  
7           SECTION 5. Arkansas Code § 6-15-2802(c)(1), concerning rules adopted  
8 by the State Board of Education to administer provisions regarding a school  
9 of innovation designation, is amended to read as follows:

10           (1) Rules subject to exemption or modification for a school of  
11 innovation ~~plan~~ application if approved by the commissioner;

12  
13           SECTION 6. Arkansas Code § 6-15-2803 is amended to read as follows:

14           6-15-2803. School of innovation ~~plan~~ application.

15           (a) A school district shall submit its school of innovation ~~plan~~  
16 application, approved by the school district board of directors, to the  
17 Commissioner of Education for approval to become a school of innovation.

18           (b) A school of innovation ~~plan~~ application shall address without  
19 limitation:

20           (1) The goals and performance targets for the school of  
21 innovation, which may include without limitation:

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

26                   (B) Increasing student participation in curriculum  
27 options;

28                   (C) Exploring new avenues for expanding students' college  
29 and career readiness;

30                   (D) Motivating students by exploring innovative teaching  
31 and learning choices; and

32                   (E) Transforming a school's culture and climate in a  
33 manner that will lead to transformative teaching and learning;

34           (2) Changes needed in the school that will lead to ~~better~~  
35 ~~prepared~~ students who are better prepared for success in life and career; and

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

- 1 (c) Schools of innovation shall document ~~the~~:  
2 (1) Parental, school employee, and community engagement;  
3 (2) ~~Capacity~~ The capacity for the proposed school of innovation;  
4 (3) ~~Rationale~~ The rationale for law, rule, and local policy  
5 exception requests;  
6 (4) Progress toward goals and performance targets; and  
7 (5) Other information requested by the commissioner.

8  
9 SECTION 7. Arkansas Code § 6-23-401(b), concerning prohibitions,  
10 restrictions, and requirements imposed upon an open-enrollment public charter  
11 school by the State Board of Education with respect to certain topics, is  
12 amended to add an additional subdivision to read as follows:

13 (7) Reporting through the Arkansas Public School Computer  
14 Network applications as provided under Title 6.

15  
16 /s/J. Sturch

17  
18  
19 **APPROVED: 4/9/19**  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36