

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S4/6/13
A Bill

SENATE BILL 794

5 By: Senator L. Chesterfield
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7 **For An Act To Be Entitled**

8 AN ACT TO REQUIRE LEGISLATIVE REVIEW OF THE
9 ADMINISTRATIVE ANNEXATION OR CONSOLIDATION OF SCHOOL
10 DISTRICTS OR ASSUMPTION OF ADMINISTRATIVE AUTHORITY
11 OF A SCHOOL DISTRICT BY THE STATE BOARD OF EDUCATION;
12 AND FOR OTHER PURPOSES.
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15 **Subtitle**

16 TO REQUIRE LEGISLATIVE REVIEW OF THE
17 ADMINISTRATIVE REORGANIZATION OF SCHOOL
18 DISTRICTS OR ASSUMPTION OF ADMINISTRATIVE
19 AUTHORITY OF A SCHOOL DISTRICT BY THE
20 STATE BOARD OF EDUCATION.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 1, is amended
26 to add an additional subsection to read as follows:

27 6-13-112. Responsibilities of the State Board of Education and
28 Commissioner of Education regarding school districts under state authority.

29 (a) Within ten (10) days of the meeting of the State Board of
30 Education at which the state board assumes authority of a school district or
31 within ten (10) days of the date upon which the Commissioner of Education
32 assumes authority of a school district, the commissioner shall provide the
33 following information to the chairs of the House Committee on Education and
34 the Senate Committee on Education:

35 (1) A clear statement of the reasons the district has been
36 placed under the authority of the state board or the commissioner; and



1 (2) A clear statement of the steps necessary for the school
2 district to remove itself from the authority of the state board or the
3 commissioner.

4 (b)(1) Each quarter following the assumption of authority by the state
5 board or commissioner, the commissioner shall provide to the chairs of the
6 House Committee on Education and the Senate Committee on Education, a status
7 report indicating the progress of the school district toward removing itself
8 from the authority of the state board or the commissioner.

9 (2) The commissioner also shall provide a copy of the status
10 report required under subdivision (b)(1) of this section to each member of
11 the General Assembly who represents the area in which the school district is
12 located.

13 (c) A person appointed by the state board or the commissioner to
14 operate a school district under the authority of the state board or the
15 commissioner shall not have previously been an administrator responsible for
16 a school district that was placed in fiscal distress, academic distress,
17 facilities distress, or in violation of the Standards for Accreditation of
18 Arkansas Public Schools and School Districts.

19 (d)(1) After a school district has been under the authority of the
20 state board or the commissioner for two (2) consecutive school years, the
21 commissioner shall:

22 (A) Conduct a review of each person appointed by the state
23 board or commissioner to operate the school district;

24 (B) Determine whether the person has made satisfactory
25 progress toward removing the school district from the authority of the state
26 board or the commissioner; and

27 (C) Determine whether the person should continue to
28 operate the school district or be replaced.

29 (2) The commissioner shall report the results of this review to
30 the state board and each member of the General Assembly who represents the
31 area in which the school district is located.

32 (3) The report shall include a justification of the
33 determination made under subdivision (d)(1) of this section.

34 (e) Before the appointment of an interim school board, permanent
35 school board, or community advisory board for the school district under the
36 authority of the state board or the commissioner, the commissioner or the

1 state board through the commissioner, shall seek recommendations for
2 individuals to serve as members of the interim school board, permanent school
3 board, or community advisory board from the members of the General Assembly
4 who represent the area in which the school district is located.

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/s/L. Chesterfield

APPROVED: 04/22/2013