

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H4/19/21

A Bill

HOUSE BILL 1863

5 By: Representative J. Mayberry
6 By: Senator J. Sturch
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE PUBLIC SCHOOL AMERICANS WITH
10 DISABILITIES ACT COMPLIANCE COMMITTEE; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

15 TO CREATE THE PUBLIC SCHOOL AMERICANS
16 WITH DISABILITIES ACT COMPLIANCE
17 COMMITTEE.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 6, Chapter 21, Subchapter 8, is amended
23 to add an additional section to read as follows:

24 6-21-817. Public School Americans with Disabilities Act Compliance
25 Committee.

26 (a) There is created the Public School ADA Compliance Committee.

27 (b) The committee shall be composed of six (6) members as follows:

28 (1) One (1) member from the Building Authority Division;

29 (2) One (1) member from the Division of Public School Academic

30 Facilities and Transportation;

31 (3) One (1) member from the State Fire Marshall Office of the
32 Division of Arkansas State Police;

33 (4) One (1) member from the Division of Elementary and
34 Secondary Education;

35 (5) One (1) member from the Arkansas Association of Educational
36 Administrators; and



1 (6) One (1) member from the Arkansas Public School Resource
2 Center, Inc.

3 (c) By February 1, 2024, all public school districts shall include the
4 following in the facilities master plan as required under § 6-21-806:

5 (1)(A) An assessment of all public school facilities with
6 respect to compliance with the Americans with Disabilities Act of 1990, Pub.
7 L. No. 101-336.

8 (B) The assessment of public school facilities required
9 under subdivision (c)(1)(A) of this section shall include an emphasis on
10 public school buildings constructed before 2004.

11 (C) A public school district may appoint an individual or
12 entity to conduct the assessment required under subdivision (c)(1)(A) of this
13 section; and

14 (2) A transition plan establishing the steps necessary to
15 complete changes to public school facilities in order to ensure compliance
16 with the Americans with Disabilities Act of 1990, Pub. L. No. 101-336.

17 (d) By February 1, 2024, each open-enrollment public charter school
18 shall submit:

19 (1)(A) An assessment of all open-enrollment public charter
20 school facilities with respect to compliance with the Americans with
21 Disabilities Act of 1990, Pub. L. No. 101-336.

22 (B) The assessment of open-enrollment public charter
23 school facilities required under this subdivision (d)(1) shall include an
24 emphasis on open-enrollment public charter school buildings constructed
25 before 2004.

26 (C) An open-enrollment public charter school may appoint
27 an individual or entity to conduct the assessment required under this
28 subdivision (d)(1); and

29 (2) A transition plan establishing the steps necessary to
30 complete changes to open-enrollment public charter school facilities in order
31 to ensure compliance with the Americans with Disabilities Act of 1990, Pub.
32 L. No. 101-336.

33 (e) The duties of the committee include the following without
34 limitation:

35 (1) Establishing guidelines to assist public school districts
36 and open-enrollment public charter schools in the process of conducting

1 assessments of public school buildings as required under subdivision
2 (c)(1)(A) of this section; and
3 (2)(A) Providing an online professional learning course for
4 public school districts and open-enrollment public charter schools to use in
5 the process of conducting assessments of public school buildings as required
6 under subdivision (c)(1)(A) of this section.
7 (B) The online professional learning course under
8 subdivision (d)(2)(A) of this section shall be provided by May 1, 2022.

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10 */s/J. Mayberry*

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13 **APPROVED: 4/28/21**
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