

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of Senate Bill No. 1130

"AN ACT TO AMEND THE CHARTER SCHOOL LAW."

Amendment No. 1 to Senate Bill No. 1130.

Amend Senate Bill No. 1130 as engrossed, S3/14/05 (version: 03-14-2005 15:24):

Add Representatives Davis, Goss, and Hardy as cosponsors

AND

Page 1, delete line 29 entirely, and substitute the following:
"U.S.C § 142(A)(13) as in existence on January 1, 2003.

SECTION 2. Arkansas Code § 6-23-103(1), concerning definitions related to charter schools, is amended to read as follows:

"(1) "Charter" means a performance-based contract for an initial ~~three-year~~ five-year period that converts a public school to a charter school or authorizes the creation and conditional operation of an open-enrollment charter school, which exempts the charter school from state and local rules, regulations, policies, and procedures specified in the contract and from the provisions of § 6-1-101 et seq. specified in the contract;"

AND

Page 1, line 31, delete "SECTION 2." and substitute "SECTION 3."

AND

Page 1, delete line 36 and substitute:

"(2) The hearing shall be held at the facility at which the charter school is operated at the location of the regular or special meeting of the State Board of Education. The State Board shall provide sufficient written notice of the time and location of the hearing."

AND

Page 2, delete line 1 through 2 and substitute:

"SECTION 4. Arkansas Code § 6-23-106, concerning charter schools impact on school desegregation efforts, is amended add an additional



subsection to read as follows:

(c) The State Board of Education shall not approve any charter school under this subchapter or any other act or any combination of acts which hampers, delays, or in any manner negatively affects the desegregation efforts of a school district or districts in this state."

AND

Page 2, line 4, delete "SECTION 3." and substitute "SECTION 5."

AND

Page 2, delete lines 8 through 13 and substitute:

"accordance with a schedule approved by the state board.

(2) A public school petition for conversion charter status may include, but shall not be limited to, the following purposes:

(A) Adopting research-based school or instructional designs, or both, that focus on improving student and school performance;

(B) Addressing school improvement status resulting from sanctions listed in § 6-15-207(c)(8) and 6-15-429(a) and (b); or

(C) Partnering with other districts or schools to address students' needs in a geographical location or multiple locations."

AND

Page 2, line 15, delete "SECTION 4." and substitute "SECTION 6."

AND

Page 2, lines 19, delete "three-year" and substitute "~~three-year~~ five-year"

AND

Page 2, line 22, delete "SECTION 5." and substitute "SECTION 7."

AND

Page 2, lines 27, delete "~~and school board members~~" and substitute "and school board members"

AND

Page 2, lines 29, delete "~~and school board members~~" and substitute "and school board members"

AND

Page 2, delete lines 32 through 36 and substitute:

"(i) The letters to the school board members required in subdivision (c)(1)(C)(i) shall only be required for each school board ~~members~~ member whose name and mailing address are provided by the superintendent of an affected school district or the Department of Education

upon the request of the petitioner;"

AND

Page 3, delete lines 1 through 3 entirely

AND

Page 3, line 5, delete "SECTION 6." and substitute "SECTION 8."

AND

Page 3, line 5, delete "6-23-3049(b)" and substitute "6-23-304(b)"

AND

Page 3, delete lines 11 through 28 and substitute:

"reduced price lunches is above the average for the state; ~~or~~

(2) Where the percentage of students not reading at grade level is above the average for the state district has been classified by the State Board as in academic distress under § 6-15-428; or

(3) Where the district has been classified by the Department of Education as showing the greatest need for school improvement under § 6-15-426.

(c)(1) The state board and may grant no more than a total of ~~twelve~~ ~~(12)~~ twenty-four (24) charters for open-enrollment charter schools, and ~~no more than three (3) of such charters may be granted in any single congressional district in the state~~ a charter applicant's school campus shall be limited to a single open-enrollment charter school per charter except as allowed in subdivision (c)(3) of this section.

(2) The State Board's authority to approve the twenty-four (24) charters for open-enrollment status shall be phased in according to the following schedule:

(A) For the 2005-2006 school year, no more than four (4) of such charters may be granted per congressional district in the state;

(B) For the 2006-2007 school year, no more that five (5) of such charters may be granted per congressional district in the state; and

(C) For the 2007-2008 school year, no more than six (6) of such charters may be granted per congressional district in the state.

(3)(A) The General Assembly hereby recognizes by established relevant demonstrated educational accountability measures that the Knowledge Is Power Program (KIPP) Delta College Preparatory open-enrollment charter school has through innovative ideas and techniques improved student learning; increased learning opportunities for all students; and created special emphasis on expanded learning experiences for students who were previously identified as low-achieving.

(B) As a result, the Knowledge Is Power Program instructional program is recognized as an effective method for meeting the statutory purpose and intent of the Arkansas Charter School Act, § 6-23-102, closing the achievement gap in public schools for economically disadvantaged, racial and ethnic subgroups, § 6-15-401 et seq. and § 6-15-1601 et seq., and otherwise providing an alternative proven adequate and equitable education to

Arkansas students.

(C) Therefore, any charter applicant that receives an approved open-enrollment charter under (c)(1) may petition the State Board for additional licenses to establish open-enrollment charter school in any of the various congressional districts in Arkansas provided that the applicant meets the following conditions:

(i) The approved open-enrollment charter petitioner is sponsored by and approved by the Knowledge Is Power Program; and

(ii) The approved open-enrollment charter petitioner has not been subject to any disciplinary action by the State Board; has not been classified as in school improvement, academic or fiscal distress; and has not had its open-enrollment charter placed on probation, suspended or revoked; and

(iii) The State Board of Education determines in writing by majority of a quorum of the board present that the open-enrollment charter petitioner has generally established the educational program results and criteria set forth subdivision (c)(3) of this section.

(d) When approving open-enrollment charter applications, the State Board shall take into consideration successful instructional programs offered by traditional public schools in the jurisdiction where the open-enrollment charter is proposed, so as not to replicate existing effective programs, but to offer alternative methods of delivery to serve students who are currently underserved in the traditional district.

(e) No private or parochial elementary or secondary school shall be eligible for open-enrollment charter school status."

AND

Page 3, line 30, delete "SECTION 7." and substitute "SECTION 9."

AND

Page 3, delete lines 35 through 36 and substitute:
"~~charter renewal~~ five (5) years."

AND

Page 4, delete lines 1 through 2 entirely

AND

Page 4, line 4, delete "SECTION 8." and substitute "SECTION 10."

AND

Page 4, line 19, delete "SECTION 9." and substitute "SECTION 11."

AND

Page 5, line 3, delete "SECTION 10." and substitute "SECTION 12."

AND

If appropriate, renumber the remaining sections of the bill

The Amendment was read _____

By: Representative Elliott

KAC/TAT - 03-30-2005 15:04

KAC830

Chief Clerk