

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

A Bill

SENATE BILL 348

5 By: Senator A. Clark
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For An Act To Be Entitled

8 AN ACT CONCERNING THE EDUCATION OMBUDSMAN; TO CREATE
9 THE EDUCATION OMBUDSMAN DIVISION WITHIN THE DIVISION
10 OF ELEMENTARY AND SECONDARY EDUCATION; AND FOR OTHER
11 PURPOSES.
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Subtitle

15 TO CREATE THE EDUCATION OMBUDSMAN
16 DIVISION WITHIN THE DIVISION OF
17 ELEMENTARY AND SECONDARY EDUCATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. DO NOT CODIFY. Legislative intent.

23 It is the intent of the General Assembly to create an Education
24 Ombudsman Division within the Division of Elementary and Secondary Education
25 to provide for independent oversight of education in Arkansas.
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27 SECTION 2. Arkansas Code Title 6, Chapter 10, Subchapter 1, is amended
28 to add an additional section to read as follows:

29 6-10-135. Education Ombudsman Division – Creation – Powers and duties.

30 (a)(1) There is created within the Division of Elementary and
31 Secondary Education the Education Ombudsman.

32 (2) The Secretary of the Department of Education shall:

33 (A) Hire an Education Ombudsman; and

34 (B) Supervise the Education Ombudsman.

35 (3) The minimum qualifications for the Education Ombudsman shall
36 include a master's degree in:



- (A) Education; or
- (B) A related field.

(4) An individual who has served as a past public school district superintendent or who serves as a current public school district superintendent is not eligible to serve as an Education Ombudsman under this section.

(b) The Education Ombudsman may:

- (1) Work independently of the Department of Education;
- (2) Communicate with a:

(A) Public school student, with permission from a parent or legal guardian of the public school student;

(B) Parent or legal guardian of a public school student;

(C) Administration, faculty, and staff employed by a public school district or open-enrollment public charter school; and

(D) Hearing officer or a due process attorney associated with a case involving a public school student;

(3) Review an issue or concern related to the education of a public school student enrolled in a public school or open-enrollment public charter school; and

(4) Provide training and assistance to a public school or open-enrollment public charter school, if requested.

(c)(1) The Education Ombudsman shall prepare an annual report concerning the work of the Education Ombudsman, the operation of the public school and open-enrollment public charter school system, and any recommendations related to the operation of the public school or open-enrollment public charter school system.

(2) The report required under subdivision (c)(1) of this section shall be submitted annually to the:

- (A) Secretary of the Department of Education;
- (B) House Committee on Education; and
- (C) Senate Committee on Education.