

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

# A Bill

SENATE BILL 564

4  
5 By: Senator Elliott

## For An Act To Be Entitled

8 AN ACT TO CREATE THE ARKANSAS TUTORING CORPS ACT; TO  
9 SUPPORT THE IMPLEMENTATION OF A SUSTAINABLE TUTORING  
10 PROGRAM IN RESPONSE TO LEARNING LOSS; TO DECLARE AN  
11 EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

15 TO CREATE THE ARKANSAS TUTORING CORPS  
16 ACT; TO SUPPORT THE IMPLEMENTATION OF A  
17 SUSTAINABLE TUTORING PROGRAM IN RESPONSE  
18 TO LEARNING LOSS; AND TO DECLARE AN  
19 EMERGENCY.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24 SECTION 1. Arkansas Code Title 6, Chapter 15, Subchapter 25, is  
25 amended to add an additional section to read as follows:

26 6-15-2507. Arkansas Tutoring Corps Act.

27 (a) This section shall be known and may be cited as the "Arkansas  
28 Tutoring Corps Act".

29 (b) The General Assembly finds that:

30 (1) Data suggests that learning loss suffered as a result of the  
31 coronavirus 2019 (COVID-19) pandemic will be substantial, particularly for  
32 the state's most vulnerable students, with recent studies showing that these  
33 students on average could lose five (5) to nine (9) months of learning by the  
34 end of the 2021 school year;

35 (2) These impacts, if not addressed, could have severe short-  
36 term and long-term social and economic implications for Arkansas families and



1 our state as a whole;

2 (3) While there is an extraordinary, immediate, and widespread  
3 need to address learning loss as a result of the coronavirus 2019 (COVID-19)  
4 pandemic, there are far too many Arkansas students at risk of falling behind  
5 under ordinary circumstances;

6 (4) Research demonstrates that a strong predictor of higher high  
7 school dropout rates is whether or not students have been taught to read at  
8 grade level by the end of grade three (3);

9 (5) Research further shows that another strong predictor of  
10 higher high school dropout rates is whether or not students have been taught  
11 sufficiently such that they can pass English and math in grades six through  
12 nine (6-9);

13 (6) According to research, one (1) of the most effective  
14 interventions to address learning loss, especially in elementary school  
15 students, is one-to-one or small group tutoring;

16 (7) The coordination and implementation of a tutoring program  
17 that supports the state's elementary and secondary students aligns with the  
18 purpose and mission of the Division of Education Renewal Zones;

19 (8) Such a tutoring program should address the immediate  
20 emergency as well as lay the groundwork for a long-term, sustainable strategy  
21 to improve educational outcomes for all students; and

22 (9) Such a tutoring program would serve as a means by which  
23 Arkansas may meet requirements of the Elementary and Secondary School  
24 Emergency Relief (ESSER) Grant Program to address learning loss and otherwise  
25 serve as a use of funding from the Governor's Emergency Education Relief  
26 (GEER) Fund in a manner that immediately helps students and families in  
27 greatest need.

28 (c) As used in this section:

29 (1) "Qualified tutor" means a person who meets requirements  
30 established by the Division of Elementary and Secondary Education; and

31 (2) "Qualified tutoring site" means any of the following:

32 (A) A public school or open-enrollment public charter  
33 school located within this state;

34 (B) An education service cooperative;

35 (C) An institution of higher education located within this  
36 state; or

1                   (D) A community facility that meets the requirements  
2 established by the Division of Elementary and Secondary Education.

3           (d)(1) The Department of Education may develop a program to:

4                   (A) Identify qualified tutors;

5                   (B) Identify a curriculum to support children preparing to  
6 enter kindergarten through grade six (K-6) in the content areas of math and  
7 reading and ensure that the identified curriculum is aligned with Arkansas  
8 academic standards;

9                   (C) Ensure training modules related to the identified  
10 curriculum are provided to qualified tutors before the qualified tutors begin  
11 tutoring;

12                   (D) Ensure ongoing support is provided to qualified  
13 tutors; and

14                   (E) Coordinate with Arkansas public schools and open-  
15 enrollment public charter schools to ensure tutoring is offered at qualified  
16 tutoring sites or virtually, leveraging existing digital platforms.

17           (2) The program developed under subdivision (d)(1) of this  
18 section shall be designed to deploy qualified tutors in a manner that:

19                   (A) Offers statewide coverage; and

20                   (B) Increases opportunities for students in rural areas.

21           (e) The Division of Elementary and Secondary Education may:

22                   (1) Develop, in coordination with the Division of Higher  
23 Education and Arkansas institutions of higher education, incentive structures  
24 such as course credit for participating qualified tutors; and

25                   (2) Develop guidelines for public schools and open-enrollment  
26 public charter schools to use funding from the Elementary and Secondary  
27 School Emergency Relief Fund (ESSER Fund) and the American Rescue Plan Act of  
28 2021, Pub. L. No. 117-2, to provide compensation and stipends to qualified  
29 tutors serving their students in the near term.

30           (f) The department shall promulgate rules to implement this section.

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32           SECTION 2. DO NOT CODIFY. Rules.

33           (a) When adopting the initial rules required under this act, the  
34 Department of Education shall file the final rules with the Secretary of  
35 State for adoption under § 25-15-204(f):

36                   (1) On or before January 1, 2022; or

1           (2) If approval under § 10-3-309 has not occurred by January 1,  
2 2022, as soon as practicable after approval under § 10-3-309.

3           (b) The department shall file the proposed rules with the Legislative  
4 Council under § 10-3-309(c) sufficiently in advance of January 1, 2022, so  
5 that the Legislative Council may consider the rules for approval before  
6 January 1, 2022.

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8           SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly of the State of Arkansas that the coronavirus 2019 (COVID-19)  
10 pandemic has resulted in substantial disruption to the educational system in  
11 the state’s public schools and open-enrollment public charter schools; that  
12 amendments to the law as provided in this act are needed to immediately  
13 address challenges faced by Arkansas students in succeeding in school and in  
14 life; and that this act is immediately necessary to maintain orderly  
15 operation of public schools and open-enrollment public charter schools so  
16 that students in this state continue to receive an adequate education.  
17 Therefore, an emergency is declared to exist, and this act being immediately  
18 necessary for the preservation of public peace, health, and safety shall  
19 become effective on:

20           (1) The date of its approval by the Governor;

21           (2) If the bill is neither approved nor vetoed by the Governor,  
22 the expiration of the period of time during which the Governor may veto the  
23 bill; or

24           (3) If the bill is vetoed by the Governor and the veto is  
25 overridden, the date the last house overrides the veto.