ARKANSAS DEPARTMENT OF EDUCATION DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES GOVERNING
SCHOOL DISTRICT REQUIREMENTS FOR PERSONNEL POLICIES, SALARY SCHEDULES, MINIMUM SALARIES, AND DOCUMENTS
POSTED TO SCHOOL DISTRICT AND EDUCATION SERVICE COOPERATIVE WEBSITES
Effective Date: __________

1.00 REGULATORY AUTHORITY

1.01 These rules shall be known as the Arkansas Department of Education Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites (Rules).


2.00 PURPOSE

2.01 The purpose of these Rules is to apprise school districts, open-enrollment public charter schools, and education service cooperatives of the requirements for publishing school district classified and licensed personnel policies, salary schedules, establishing minimum salaries, and other documents mandated to be posted to the district’s website or the education service cooperative’s website.

3.00—DEFINITIONS

3.01 Basic Contract means a teacher employment contract for one hundred ninety (190) days that includes no less than six (6) days of professional development, except as provided under 3.01.1 for teachers employed in a C-Step Program or the Arkansas National Guard Youth Challenge Program.

3.01.1 For the purpose of a teacher employed in the C-Step Program or the Arkansas National Guard Youth Challenge Program, a basic contract for a teacher means full-time employment for one hundred ninety (190) days that includes six (6) days of professional development and all additional days in excess of one hundred ninety (190) days paid at the daily rate under Ark. Code Ann. §6-17-2403 that are required for full-time annual employment and subject to the policies and guidelines of the Arkansas National Guard.
3.02 **Classified Employee** means any employee who performs work for the school district under a written annual contract in a position that does not require a valid teaching license issued by the Arkansas State Board.

3.03 **Classified Employee Minimum Salary** is the calculation of the minimum rate listed in Ark. Code Ann. §6-17-2203 that has been adjusted by the same percentage of increase as reported in the consumer price index each year. The adjusted rate is announced prior to July 1 each year in a Commissioner’s memo.

3.04 **Classified Personnel Policies** are written district policies, guidelines, regulations, and procedures that pertain to the terms and conditions of a classified employee’s employment with the district.

3.05 **Classified Salary Schedule** is a set of matrices that are updated and published each school year, which contains the minimum salaries for all classified employees and includes ranges, steps, and rates of pay. The salary schedule is required to reflect the actual pay practices of the district.

3.06 **Full Time Classified Employee** means any classified employee contracted to work twenty (20) or more hours per week.

3.07 **Licensed Employee** is a person hired by the local school district who is compelled by law or regulation to secure a license from the State Board of Education.

3.08 **Licensed Personnel Policies** are written district policies, guidelines, regulations, and procedures that pertain to the terms and conditions of a licensed employee’s employment with the district.

3.09 **Licensed Salary Schedule** is a set of matrices that are updated and published each school year that contains the minimum salary licensed employees earn based on number of years of experience, education degrees, computations for extended contracts, and salary supplements for additional duties or responsibilities. The salary schedule is required to reflect the actual pay practices of the district.

3.10 **Teacher** means an individual who is required to hold a teaching license from the Department of Education and who is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual’s contracted time; a guidance counselor; or a librarian.

3.11 **Website** is a set of interconnected webpages, including a homepage, generally located on the same server. It is prepared and maintained as a collection of information by a person, group, or organization.

4.00 **LICENSED PERSONNEL POLICIES AND SALARY SCHEDULES**

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4.01 School districts shall have a set of written licensed personnel policies.

4.02 The licensed personnel policies shall include, but are not limited to, the following:

4.02.1 The licensed salary schedule;

4.02.2 Benefits;

4.02.3 Compensation;

4.02.4 Designation of workdays;

4.02.5 Holidays and non-instructional days;

4.02.6 The annual calendar;

4.02.7 Methods of evaluations;

4.02.8 Extra duties;

4.02.9 Leave;

4.02.10 Grievances;

4.02.11 Dismissal or nonrenewal;

4.02.12 Reduction in force; and

4.02.13 Assignment of teacher aides.

4.03 The licensed personnel policies and salary schedules must be posted to the district’s website no later than September 15 each year. The district must keep a copy of the licensed salary schedule and personnel policies, signed by the president of the school board, and retained in a central location.

4.04 The district shall make licensed personnel policies and salary schedules easily accessible on its website through an easily identifiable direct link titled “State-Required Information” in accordance with 9.03.

4.05 The district is required to provide to the Arkansas Department of Education, no later than September 15 of each year, the website address where the licensed personnel policies and salary schedules are located. This information is currently collected in state reporting cycles 1-9. The website address must be
entered correctly in each cycle, especially if there are changes to the website address.

4.06 A district failing to meet the above requirements will not receive in any year any additional state foundation funding from the Public School Fund until the licensed personnel policies and salary schedules are posted to the district's website.

4.07 The Arkansas Department of Education shall not accredit a district that does not have written licensed personnel policies.

4.08 The Arkansas Department of Education will notify any school district that has not posted its licensed personnel policies and salary schedules on the district's website or provided the Department with the website address as required.

5.00 CLASSIFIED PERSONNEL POLICIES AND SALARY SCHEDULES

5.01 School districts shall have a set of written personnel policies, including the salary schedule for at least all five classifications of classified employees as listed in 3.02.

5.02 The personnel policies shall include, but are not limited to:

5.02.1 Salary schedule, fringe benefits, and other compensation issues;

5.02.2 Annual school calendar, including work days and holidays;

5.02.3 Evaluation procedures;

5.02.4 Leave;

5.02.5 Grievance procedures;

5.02.6 Termination, nonrenewal, or suspension

5.02.7 Reduction in force; and

5.02.8 Assignments.

5.03 School districts must post classified personnel policies and salary schedules to the district's website no later than September 15 each year. The district shall maintain in a central records location a written copy of the policies signed by the president of the district's board of directors.
5.04 The district shall make classified personnel policies and salary schedules easily accessible on its website through an easily-identifiable direct link titled “State-Required Information” in accordance with 9.03.

5.05 The district is required to provide to the Arkansas Department of Education, no later than September 15 of each year, the website address where the classified personnel policies and salary schedules are located. This information is currently collected in state reporting cycles 1-9. The website address must be entered correctly in each cycle, especially if there are changes to the website address.

5.06 A district failing to meet the above requirements will not receive in any year any additional state foundation funding from the Public School Fund until the classified personnel policies and salary schedules are posted to the district’s website.

5.07 The Arkansas Department of Education shall not accredit a district that does not have written classified personnel policies.

5.08 The Arkansas Department of Education will notify any school district that has not posted its classified personnel policies and salary schedules on the district’s website or provided the Department with the website address as required.

6.00 LICENSED EMPLOYEE MINIMUM SALARY

6.01 The district salary schedule shall provide:

6.01.1 Annual increments for education and experience.

6.01.2 A base salary for a teacher with a BA degree listing salary increments each year for at least 15 years of experience.

6.01.3 A minimum salary for a teacher with a master's degree listing salary increments each year for at least fifteen years of experience.

6.02 Each school district shall have a salary schedule with at least the minimum levels of compensation for a basic contract as listed in Ark. Code Ann. § 6-17-2403(b).

6.02.1 The minimum teacher compensation schedule under Ark. Code Ann. § 6-17-2403(b) does not apply to a part-time teacher or part-time paraprofessional employed by a school district to work in an adult education program.

6.02.2 The minimum teacher compensation schedule for a part-time teacher or part-time paraprofessional employed by a school district to work in
an adult education program shall be established by the Adult Education Section of the Department of Career Education and approved by the State Board of Career Education.

6.03 The teaching experience is the total years of experience as a teacher with a valid Arkansas teaching license and teaching at any of the following:

6.03.1 A public school accredited by the Department of Education or a nationally recognized accrediting association;

6.03.2 Private school within the state of Arkansas accredited by a nationally recognized accrediting association;

6.03.3 An institution of higher education within the State of Arkansas accredited by a nationally recognized higher education institution accrediting association; or

6.03.4 A facility operated by the Division of Youth Services or any facility contracting with the division to provide care for juveniles committed to the division.

7.00 ADDITIONAL PAY

7.01 If a teacher is required to work more days than listed in their contract, then the pay under the contract shall be increased proportionately so that the teacher will receive at least a daily rate of pay for each additional day worked.

7.02 Each school district shall establish a normal base contract period for teachers.

7.03 If the base contract period is increased, the teacher's pay under the contract shall be increased proportionately at no less than the daily rate for each day added to the contract.

7.04 The provisions of sections 7.01, 7.02, and 7.03 shall not apply to separate contracts for employment with a teacher to teach summer school or to perform services that do not require the teacher to hold a teaching license.

7.04.1 Such services require a separate contract and the district shall not condition initial employment of the teacher or renewal of the teacher's regular teaching contract on entering into a separate contract.

7.05 A district may employ a teacher in a part time contract to perform services in the teacher's area of certification after expiration of the normal base contract as long as the teacher is agreeable and is paid in accordance with the salary schedule, on a pro rata basis for that work.
7.06 If a teacher in grades seven through twelve (7-12) volunteers to teach more than the maximum number of students permitted per day under the Standards for Accreditation of Arkansas Public Schools and School Districts, then the teacher's pay under his or her contract shall be increased by an amount proportionate to the teacher's base pay and the additional number of students taught by the teacher.

7.07 A teacher in grades seven through twelve (7-12) may volunteer to use his or her conference period during the day to teach an additional class period or to teach more than the maximum number of students per day and shall be compensated at a pro-rated portion of his or her contract for both the extra class period and for every additional student he or she teaches over the maximum number of students permitted per day under the Standards for Accreditation for Arkansas Public Schools and School Districts.

8.00 CLASSIFIED EMPLOYEE MINIMUM SALARY

8.01 For the 2011-2012 school year, a full-time contracted classified employee (working 20 hours a week or more) shall receive an hourly rate of compensation of no less than $7.74 per hour.

8.02 The minimum hourly rate is adjusted each year by increasing the previous year's minimum amount by a percentage equal to the percentage increase of the consumer price index. The new minimum rate is announced in a Commissioner's Memo before July 1 each year.

9.00 DATA TO BE ACCESSIBLE ON WEBSITE

9.01 The following data and information are required to be posted to the district's website or the district's education service cooperative website, if the education service cooperative maintains the district's website:

9.01.1 Current comprehensive financial data reports, including:

9.01.1.1 Local and state revenue sources;

9.01.1.2 Administrator and teacher salary and benefit expenditure data;

9.01.1.3 School district balances, including legal balances and building fund balances;

9.01.1.4 Minutes of regular and special meeting of the school board;
9.01.1.5 The school district budget for the current year must be posted on the website within thirty (30) days following the state reporting cycle deadline (September 30);

9.01.1.6 A financial breakdown of monthly expenses of the school district;

9.01.1.7 Salary schedules for all employees, including extended contract and supplementary pay amounts;

9.01.1.8 Current contract information with all district employees except that social security numbers, telephone numbers, personal addresses, or signatures shall not be published;

9.01.1.9 The current year annual budget; and

9.01.1.10 The annual school district statistical report.

9.01.2 Licensed and classified personnel policies and salary schedules

9.02 The above information shall consist of actual data for the two (2) previous school years and the projected budgeted information for the current school year.

9.03 The information and data required by 9.00 shall be easily accessible through the homepage of the district’s website under an easily identifiable direct link titled “State-Required Information” to a page on the district’s website where the information may be found. Under this link, the district shall subdivide the information required by 9.00 by the categories of information.

3.00 ACCESSIBILITY OF REQUIRED INFORMATION ON WEBSITE

3.01 All information required to be posted on the website shall be easily accessible through the homepage of the district’s website under an easily identifiable direct link titled “State—Required Information” to a page on the district’s website where the information may be found.

3.02 On the page, the district shall subdivide the information required by these Rules by the categories of information.

4.00 POLICY, DATA, AND INFORMATIONAL DOCUMENTS TO BE ACCESSIBLE ON WEBSITE
4.01 By August 1 of each year, the following data and information are required to be posted to the school district’s website:

4.01.1 The school-level improvement plans, including the literacy plan required by Ark. Code Ann. § 6-15-2914(b);

4.01.2 The written discipline policies;

4.01.3 All student handbooks;

4.01.4 The school calendar;

4.01.5 The written bullying policies adopted in accordance with Ark. Code Ann. § 6-18-514, unless the policies are contained in the student handbook;

4.01.6 The comprehensive school counseling plan as required by Ark. Code Ann. § 6-18-2005; and

4.01.7 The plan for parent, family, and community engagement including the scheduling of at least two parent-teacher conferences each year, the parental involvement plan of all public schools in the district, and informational packets required by Ark. Code Ann. § 6-15-1702.

4.02 The school district must post the annual school performance report for each school year on the website of the school district no later than ten (10) days after it is posted on the Division's website.

4.03 A public school district receiving Level 2-- Collaborative, Level 3-- Coordinated, Level 4-- Directed, or Level 5-- Intensive support shall post the public school district support plan as required by Ark. Code Ann. § 6-15-2914(d) no later than ten (10) days after submission to the Division.

4.04 When a public school district is receiving Level 5-- Intensive support, a school is identified as in need of targeted or comprehensive support, or the public school district is in fiscal distress, the district must post a parent-friendly explanation of why and what the district is doing to be removed from the classification.

4.05 By December 1, a public school shall post the vaccination and immunization report required by Ark. Code Ann. § 6-18-702(b) that provides information regarding the:

4.05.1 Number and percentage of students within the public school who have been granted from the Department of Health an
exemption from the requirement to obtain one (1) or more vaccinations as required under Ark. Code Ann. § 6-18-702;

4.05.2 Number and percentage of students within the school who have failed to provide the school proof of the vaccinations required under Ark. Code Ann. § 6-18-702; and

4.05.3 Number and percentage of students who have not obtained an exemption from the Department of Health.

4.06 A school district must post all waivers granted under Ark. Code Ann. § 6-15-103 to the district's website within thirty (30) days of the State Board of Education's approval.

5.00 FINANCIAL DOCUMENTS REQUIRED TO BE POSTED TO THE DISTRICT WEBSITE

5.01 By August 1, the school district must post the following information:

5.01.1 Written policies for the fiscal operation of the school district; and

5.01.2 Current comprehensive financial data reports including:

5.01.2.1 Local and state revenue sources;

5.01.2.2 Administrator and teacher salary and benefit expenditure data;

5.01.2.3 School district balances, including legal balances and building fund balances;

5.01.2.4 The school district budget for the current year;

5.01.2.4.1 The budget must also be updated on the website within thirty (30) days following the state reporting Cycle 1 deadline (September 30).

5.01.3 A financial breakdown of monthly expenses of the school district;

5.01.4 Salary schedules for all employees, including extended contract and supplementary pay amounts;
5.01.5 All current contract information with all district employees, including, but not limited to, salary, benefits, stipends, supplementary income, leave time, and all other contract terms, and

5.01.5.1 Social security numbers, telephone numbers, personal addresses, and signatures shall not be published.

5.01.6 The current year annual budget; and

5.01.76 The annual school district statistical report.

5.02 The information required by this Section must consist of actual data for the two previous school years and the projected budgeted information for the current school year.

6.00 PERSONNEL DOCUMENTS REQUIRED TO BE POSTED TO THE DISTRICT WEBSITE

6.01 Each school district is required to post district licensed and classified personnel policies and salary schedules required under Ark. Code Ann. §§ 6-17-201 et seq. and Ark. Code Ann. §§ 6-17-2301 et seq.

6.02 By August 1 of each year, a school district must provide the Division with the website where its current personnel policies and salary schedules may be found.

6.02.1 This information is currently collected in state reporting cycles 1-9.

6.02.2 The website address must be entered correctly in each cycle, especially if there are changes to the website address.

6.03 The Division will notify any school district that has not posted its personnel policies, or salary schedules, or both, on the school district website or provided the Division with the web address in accordance with these Rules.

6.04 A school district failing to meet the requirements of this Section by September 15 will not receive in any year any additional state foundation funding from the Public School Fund until the personnel policies and salary schedules are posted to the district’s website.

7.00 DYSELXIA INFORMATION REQUIRED TO BE POSTED TO THE DISTRICT WEBSITE
7.01 The superintendent of a school district shall annually report the results of the school district screening required under Ark. Code Ann. § 6-41-603.

7.02 Before July 15 of each year, a school district shall report on the website of the school district, or in writing to the parents of each student in the school district, the following information:

7.02.1 The dyslexia intervention programs used during the previous school year that were specifically responsive to assisting students exhibiting characteristics of dyslexia;

7.02.2 The number of students during the previous school year who received dyslexia intervention; and

7.02.3 The total number of students identified with dyslexia during the previous school year.

7.02.3.1 For purposes of Section 7.02.3, “identified with dyslexia” means students exhibiting the characteristics of dyslexia through a school-based or outside evaluation and students with a formal dyslexia diagnosis.

7.03 Any school district that fails to comply with this Section shall be in violation of the Standards for Accreditation of Arkansas Public Schools and School Districts and may be placed on probationary status.

8.00 PROBATIONARY STATUS REQUIRED TO BE POSTED TO THE DISTRICT WEBSITE

8.01 When any school of a school district, or the school district, is determined by the State Board of Education to be in Accredited—Probation or Accredited—Corrective Action status for failure to meet the Standards for Accreditation, that school district, after exhausting its rights to appeal, shall:

8.01.1 Immediately after the State Board’s findings, publish the probationary status determination and findings of the State Board on the website of the school district in an understandable and uniform format.

8.02 Documentation shall be posted until the State Board removes the status.

9.00 SCHOOL BOARD INFORMATION REQUIRED TO BE POSTED ON THE DISTRICT WEBSITE
9.01 At least ten (10) days before the date of a regular meeting of its Board of Directors, a school district shall publish on the school district's website a notice of the date, time, and place of the meeting.

9.02 At least twenty-four (24) hours before a rescheduled regular meeting, a school district shall publish on the school district's website a notice of the change in the date, time, or place of the regular meeting.

9.03 The school district must post the minutes of regular and special meetings of the school board.

10.00 DOCUMENTS REQUIRED TO BE POSTED ON THE EDUCATION SERVICE COOPERATIVE WEBSITE

10.01 Each education service cooperative shall post the final evaluation, including any self-evaluation, required by Ark. Code Ann. § 6-13-1021, on the website of the education service cooperative.
State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill
SENATE BILL 153

By: Senators J. English, Bledsoe, B. Davis, Irvin
By: Representatives Barker, Bentley, Brown, Capp, Cavenaugh, Crawford, Dalby, Della Rosa,
Lundstrum, J. Mayberry, Petty, Rushing, Speaks, Vaught

For An Act To Be Entitled
An Act Concerning School-Level Improvement Plans and
The Right to Read Act; To Require That a Public
School Include in Its Annual School-Level Improvement
Plan a Literacy Plan; To Require That the Curriculum,
Professional Development, and Graduate Studies
Recommendations for a Public School District and
Open-Enrollment Public Charter School Be in
Accordance with the Science of Reading; To Require
That the Department of Education Create an Approved
List of Curriculum Programs That Are Supported by the
Science of Reading; and For Other Purposes.

Subtitle
To Require School-Level Improvement,
Professional Development, Curriculum, and
Graduate Studies Plans to Be in
Accordance with the Science of Reading.

Be It Enacted by the General Assembly of the State of Arkansas:

Section 1. Do Not Codify. Legislative findings.
The General Assembly finds that:

(1) The Right to Read Act, § 6-17-429, addresses the science of
reading for current educators and those in an undergraduate teaching program;
(2) If educators do not have an understanding of scientific
reading instruction, many students will not receive the reading instruction
necessary to read at grade level;

(3) The percentage of Arkansas students in grade three (3) who
were "ready" or "exceeding" in reading on the 2018 ACT Aspire test was
thirty-eight percent (38%);

(4) Dyslexia programs in Arkansas should be aligned to
structured literacy as outlined by the International Dyslexia Association;
and

(5) Educators throughout the state are in the process of
completing the appropriate professional development requirements with respect
to the science of reading and structured literacy, but public school
districts have not provided those teachers with the necessary materials and
resources to implement the methods required by science of reading and
structured literacy programs in their classrooms.

SECTION 2. Arkansas Code § 6-15-2914(b), concerning the annual
submission of school-level improvement plans, is amended to read as follows:
(b)(1)(A) Beginning on May 1, 2018, and by May 1 annually thereafter,
a public school shall submit to its public school district a school-level
improvement plan for approval by the public school district and public school
district board of directors for implementation in the following school year.

(B)(i) A public school district and an open-enrollment
public charter school shall include a literacy plan in the annual school-
level improvement plan required under subdivision (b)(1)(A) of this section.
(ii) The literacy plan required under subdivision
(b)(1)(B)(i) of this section shall include without limitation a curriculum
program and a professional development program that are:

(a) Aligned with the literacy needs of the
public school district; and

(b) Based on the science of reading as defined
by § 6-17-429(k)(1).

(2) School-level improvement plans shall be posted on the public
school district's website by August 1 of each year.

SECTION 3. Arkansas Code § 6-17-429(c), concerning the professional
development requirements under the Right to Read Act, is amended to read as
follows:

(c)(1) Beginning with the 2018-2019 school year, a public school
district and an open-enrollment public charter school shall provide the
following professional development in scientific reading instruction:

(A) For teachers licensed at the elementary level in
kindergarten through grade six (K-6), teachers with a special education
license in kindergarten through grade twelve (K-12), and teachers licensed as
reading specialists in kindergarten through grade twelve (K-12), professional
development for one (1) of the prescribed pathways to obtaining a proficiency
credential in knowledge and practices in scientific reading instruction; and

(B) For teachers licensed at a level other than the
elementary level in kindergarten through grade six (K-6), teachers with a
special education license in kindergarten through grade twelve (K-12), and
teachers licensed as reading specialists in kindergarten through grade twelve
(K-12), professional development for one (1) of the prescribed pathways to
obtaining an awareness credential in knowledge and practices in scientific
reading instruction.

(2) Beginning with the 2020-2021 school year, a public school or
open-enrollment public charter school that does not provide the professional
development under subdivision (c)(1) of this section shall:

(A) Be placed in probationary status; and

(B) Provide notice to parents that the public school
district has not met the requirements of this section.

SECTION 4. Arkansas Code § 6-17-429(e)-(g), concerning educator
preparation and professional development programs required under the Right to
Read Act, are amended to read as follows:

(e) A provider of a state-approved educator preparation program,
graduate program, or alternative preparation program shall include in its
annual report to the Department of Education a description of the provider’s
program to prepare educators to teach reading using scientific reading
instruction.

(f) By the beginning of the 2020-2021 school year, the department
shall identify and create an approved list of materials, resources, and
curriculum programs for public school districts and open-enrollment public
charter schools that are supported by the science of reading and based on
instruction that is explicit, systematic, cumulative, and diagnostic, including without limitation:

(1) Dyslexia programs that are evidence-based and:
   (A) Aligned to structured literacy; or
   (B) Grounded in the Orton-Gillingham methodology;
(2) Evidence-based reading intervention programs; and
(3) Evidence-based reading programs that are grounded in the science of reading.

(g)(1) By the beginning of the 2021-2022 school year, any public school district and open-enrollment public charter school purchasing a curriculum program shall choose a curriculum program from the department’s approved list of curriculum programs created under subsection (f) of this section.

(2) A public school district or open-enrollment public charter school that chooses to purchase a curriculum program that is not from the department’s approved list of curriculum programs shall submit the following to the department for approval of the alternative curriculum program:
   (A) A rationale for choosing the alternative curriculum program; and
   (B) Evidence-based research regarding the alternative curriculum program.

(h) By the beginning of the 2019-2020 school year, a public school district and an open-enrollment public charter school shall establish a professional development program as required by § 6-15-2914(b)(1)(B) that shall:

(1) Include without limitation instruction based on the science of reading; and
(2) Be provided on an annual basis after the professional development required under subdivision (c)(1) of this section is complete.

(f)(i)(1)(A) A public school district or an open-enrollment public charter school that employs an educator in violation of this section or that does not provide the professional development as required under this section shall be in violation of the Standards for Accreditation of Arkansas Public Schools and School Districts and may be placed in probationary status by the department.

(B) A public school district or an open-enrollment public
charter school placed in probationary status under subdivision (f)(1)(A) 
(i)(1)(A) of this section shall send written notification to the parents of 
the students in the public school district of the reason for being placed in 
probationary status.

(2) A provider of a state-approved educator preparation program, graduate program, or alternative preparation program that does not comply 
with the requirements of this section may be subject to penalties up to and 
including having the provider's approval status revoked.

(g)(1) The department is vested with the authority to and shall 
enforce:

(1) Enforce this section; and 
(2) The department shall promulgate rules to 
implement this section.

(k) As used in this section:

(1) "Science of reading" means the study of the relationship 
between cognitive science and educational outcomes; and 
(2) "Structured literacy" means an approach by which licensed 
personnel teach reading in an explicit, systematic, cumulative, and 
diagnostic manner.

APPROVED: 2/11/19
A Bill  

SENATE BILL 199

State of Arkansas  

92nd General Assembly  

Regular Session, 2019  

By: Senator B. Davis  

By: Representative Vaught  

For An Act To Be Entitled  

AN ACT TO REPEAL THE PUBLIC SCHOOL STUDENT SERVICES  

ACT; TO CREATE THE SCHOOL COUNSELING IMPROVEMENT ACT  

OF 2019; AND FOR OTHER PURPOSES.

Subtitle  

TO REPEAL THE PUBLIC SCHOOL STUDENT  

SERVICES ACT; AND TO CREATE THE SCHOOL  

COUNSELING IMPROVEMENT ACT OF 2019.

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

SECTION 1. Arkansas Code § 6-15-202(f)(42), concerning the development  
of accreditation regulations and standards, is amended to read as follows:  

(42) Section 6-18-1005 6-18-2003 concerning a student services  
comprehensive school counseling program;

definitions regarding prescription asthma inhalers or auto-injectable  
epinephrine, is amended to read as follows:  

(iii) A copy of an individualized healthcare plan  
for the student prepared in accordance with § 6-18-1005 and any related rules  
of the department.

SECTION 3. Arkansas Code Title 6, Chapter 18, Subchapter 10, is  
repealed.

Subchapter 10—Public School Student Services Act
6-18-1001. Title.
This subchapter shall be known and may be cited as the "Public School Student Services Act".

6-18-1002. Purpose.
It is the intent of the General Assembly to articulate the functions served by each of the components of a program of student services. It is further the intent of the General Assembly that each school district develop and implement a plan for providing student services to all students in the public school system, including area vocational-technical schools. Such plan shall be implemented no later than the 1991-1992 school year. It is the intent of the General Assembly that student services coordinators be given time to fulfill their responsibilities under this subchapter.

The State Board of Education is authorized to adopt rules to carry out the intent of this legislation; such rules shall include, but need not be limited to:

(1) A description of the student services program at all educational levels for which the school district board of directors is responsible;

(2) Criteria for the development by each school of a building-based student services plan which reflects input from parents, teachers, principals, students, and other agencies;

(3) Identification of alternative student services personnel who do not meet traditional graduate school requirements and who may be used by the school district board of directors in providing the recommended student services, including, but not limited to, paraprofessionals, teachers, parents, and representatives of business and industry; and

(4) Establishment of minimum standards for all areas of student services personnel.

6-18-1004. School district plan.
(a)(1) Each school district shall develop and implement a plan that ensures that individual student services are coordinated in a manner...
utilizing such techniques as differentiated staffing so as to make maximum
use of the contribution of each service.

(2) Only those trained and certified in the appropriate
specialty or following a Department of Education's deficiency removal plan
will be assigned to carry out the duties of each service.

(b) Each school district plan shall reflect the use of alternative
methods of classroom management. Such methods may include, but are not
limited to, the following:

(1) Behavioral contracting;
(2) Dispute resolution;
(3) Classroom meetings;
(4) Logical consequences;
(5) Assertive discipline;
(6) Behavior modification; and
(7) Career and academic counseling.

(c)(1) Each school district plan shall provide for a district level
tracking system for school dropouts and for students who fail to reach
proficiency on state-mandated assessments.

(2) The tracking system shall include provisions for student
services personnel in all schools to conduct exit interviews of students who
are dropping out of school and for follow-up of such students when possible.

(d) The superintendent of a school district not in substantial
compliance with the terms of its plan may be requested to appear before the
Senate Committee on Education and the House Committee on Education.

6-18-1005. Student services program defined.

(a) “Student services program” means a coordinated effort, which shall
include, but is not limited to:

(1) Guidance and counseling services, which shall include, but
are not limited to;

(A) The availability of individual and group counseling to
all students;

(B) Orientation programs for new students at each level of
education and for transferring students;

(C) Academic advisement for class selection by
establishing academic goals in elementary, middle, and high school;
(D) Consultation with parents, faculty, and out-of-school agencies concerning student problems and needs;
(E) Utilization of student records and files;
(F) Interpretation of augmented, criterion-referenced, or norm-referenced assessments and dissemination of results to the school, students, parents, and community;
(G) The following-up of early school dropouts and graduates;
(H) A school-initiated system of parental involvement;
(I) An organized system of informational resources on which to base educational and vocational decision making;
(J) Educational, academic assessment, and career counseling, including advising students on the national college assessments, workforce opportunities, and alternative programs that could provide successful high school completion and postsecondary opportunities for students;
(K) Coordinating administration of the Tests of Adult Basic Education or a high school equivalency pretest to students by designating appropriate personnel, other than the school guidance counselor, to administer the tests;
(L) Classroom guidance, which shall be limited to forty-five minutes per class session, not to exceed three (3) per day and not to exceed ten (10) per week; and
(M) Guidance in understanding the relationship between classroom performance and success in school;

(2) Psychological services, which shall include, but are not limited to, the following:
(A) Evaluation of students with learning or adjustment problems;
(B) Evaluation of students in exceptional child education programs;
(C) Consultation and counseling with parents, students, and school personnel to ensure that all students are ready to succeed and that all students are preparing for college and work;
(D) A system for the early identification of learning potential and factors that affect the child's educational performance;
(8) A system of liaison and referrals, with resources available outside the school; and

(9) Written policies that assure ethical procedures in psychological activities;

(3) Visiting teacher and school social work services, which shall include, but are not limited to, the following:

(A) Providing casework to assist in the prevention and remediation of problems of attendance, behavior, adjustment, and learning; and

(B) Serving as liaison between the home and school by making home visits and referring students and parents to appropriate school and community agencies for assistance;

(4) Career services, which shall include, but are not limited to, the dissemination of career education information, appropriate course-taking patterns, and the effect of taking more rigorous courses so that students are better prepared for college and work success;

(5) Group conflict resolution services, which shall include, but are not limited to, the following:

(A) Educational and social programs that help students develop skills enabling them to resolve differences and conflicts between groups;

(B) Programs designed to promote understanding, positive communication, and greater utilization of a race relations specialist or human relations specialist to assist in the development of intergroup skills; and

(C) Programs designed to prevent bullying;

(6) Health services, which shall include, but are not limited to, the following:

(A) Students with special healthcare needs, including the chronically ill, medically fragile, and technology-dependent, and students with other health impairments shall have individualized healthcare plans;

(B)(i) Invasive medical procedures required by students and provided at the school shall be performed by trained, licensed personnel who are licensed to perform the task subject to § 17-87-102(10)(D) or other professional licensure statutes, unless permitted under § 17-87-103(10) and (11).
(ii) The regular classroom teacher shall not perform these tasks, except that public school employees may volunteer to be trained and administer glucagon to a student with type 1 diabetes in an emergency situation permitted under § 17-87-103(11); and

(C) Custodial healthcare services required by students under individualized healthcare plans shall be provided by trained school employees other than the regular classroom teachers; and

(7) The distribution of a suicide prevention public awareness program developed for distribution by the Arkansas Youth Suicide Prevention Task Force.

(b) School counselors shall spend at least seventy-five percent (75%) of work time each month during the school year providing direct counseling related to students and shall devote no more than twenty-five percent (25%) of work time each month during the school year to administrative activities provided that the activities relate to the provision of guidance services.


(a) The occupational and placement specialist shall serve as liaison between employers and the school.

(b) It is the responsibility of the district placement to make written board recommendations to the superintendent for consideration by the school district board of directors concerning areas of curriculum deficiency having an adverse effect on the employability of job candidates or progress in subsequent education experiences.

(c) Furthermore, district administrative personnel shall report to the school district board of directors concerning adjustments in program outcomes, curricula, and delivery of instruction as they are made with the use of placement and follow-up information.

(d) The follow-up studies conducted by occupational and placement services shall be on a statistically valid random sampling basis when appropriate and shall be stratified to reflect the appropriate vocational programs of students graduating from or leaving the public school system.

6-18-1007. School student services status report.

(a) By January 1, 1994, and each year thereafter, the Department of Education shall compile and present to the Governor, the State Board of
Education, the Senate Committee on Education, and the House Committee on Education—a report outlining monitoring findings and the status of implementing each of the provisions of this subchapter by the various school districts, including which districts are in substantial compliance with the plan required under this subchapter.

(b)(1)(A) By January 1, 1998, the department shall have in place a staffing structure which assures that the department's administration and field service staff are responsible for monitoring the department and local school district implementation and compliance with the provisions of this subchapter.

(B) The department shall employ one (1) or more persons who shall have a minimum qualification of certification as a school counselor.

(2) Each school district shall be responsible for submitting an annual report to the Assistant Commissioner of Learning Services of the Department of Education outlining its compliance with and implementation of plans for the provisions of this section.

(3)(A) The Commissioner of Education, in consultation with the appropriate assistant commissioner, shall designate an individual or individuals who shall have a minimum qualification of certification as a school counselor to be responsible for coordinating the monitoring of compliance with this section.

(B) The monitoring shall include interviews with administrators, counselors, students, and teachers.

6-18-1008. Implementation.

(a) The State Board of Education shall cause the Commissioner of Education to designate one (1) employee who shall be responsible for overseeing the implementation of this subchapter.

(b) By January 1, 1994, and each year thereafter, the Department of Education shall compile and present to the Governor, the state board, the House Committee on Education, and the Senate Committee on Education a report outlining the status of implementing each of the provisions of this subchapter by the various school districts.

6-18-1009. Career development.
(a) Each school counselor shall provide a career planning process for each student to include career awareness, employment readiness, career information, and the knowledge and skills necessary to achieve career goals.

(b) School counselors shall also encourage parents, during regular parent conferences, to support partnerships in their children's learning and career planning processes.

SECTION 4. Arkansas Code Title 6, Chapter 18, is amended to add an additional subchapter to read as follows:

Subchapter 20 - School Counseling Improvement Act of 2019

This subchapter shall be known and may be cited as the "School Counseling Improvement Act of 2019".

As used in this subchapter:

(1) "Administrative activities" means activities that are not directly related to the comprehensive school counseling plan and are absent of any direct student services or interaction;

(2) "Direct services" means services that are provided through face-to-face contact with students, including without limitation:

(A) Regular classroom guidance limited to forty-minute class sessions, not to exceed three (3) class sessions per day and not to exceed ten (10) class sessions per week;

(B) Individual and group counseling;

(C) Responsive services on behalf of students whose immediate personal concerns and problems put the student's academic, career, or social and emotional development at risk, including the administration of a risk-assessment; and

(D) Interventions for students that are:

(i) At risk of dropping out of school; or

(ii) Exhibiting dangerous behaviors, such as drug use, self-harm, or gang activity; and

(3) "Indirect services" means consultations between a student, a parent or legal guardian, school staff, and community agencies concerning a
student's academic, career, and social and emotional needs.

(a) Each public school district shall:
(1) Develop and implement a comprehensive school counseling program that ensures student services are coordinated in a manner that provides comprehensive support to all students; and
(2) Have a written plan for a comprehensive school counseling program that:
   (A) Is implemented by an Arkansas-certified school counselor, a counselor serving under an additional licensure plan, or a school employee acting as a school counselor under a waiver granted under § 6-15-103(c);
   (B) Utilizes state and nationally recognized counselor frameworks;
   (C) Is reviewed annually and updated as needed by the school counselor in collaboration with the building administrator and other stakeholders;
   (D) Is systemically aligned to kindergarten through grade twelve (K-12) within the public school district; and
   (E) Contains the following four (4) components of a comprehensive school counseling program:
      (i) Foundation, which includes without limitation:
          (a) Vision statements;
          (b) Mission statements; and
          (c) Program goals;
      (ii) Management, which utilizes assessments and other data to develop, implement, and evaluate a comprehensive school counseling program;
      (iii) Delivery, which focuses on direct and indirect services through the implementation of a comprehensive school counseling program; and
      (iv) Accountability, which ensures regular analysis of the comprehensive school counseling program that is provided.
(b) The comprehensive school counseling program required under subsection (a) of this section shall:
(1) Guide students in academic pursuits, career planning, and social and emotional learning;

(2) Follow the comprehensive school counseling program guidance provided by the Department of Education;

(3) Include goals that are developed annually based on the vision and mission statements that are shared by stakeholders to ensure equitable access to opportunities for all students; and

(4) Identify student needs through a multilevel school data review that includes without limitation:

(A) Data analysis;

(B) Use-of-time data review;

(C) Program results data; and

(D) Communication and contact with administrators, parents, students, and stakeholders.


(a) Sufficient time at each public school shall be allotted for the school counselor to carry out the duties stated in the comprehensive school counseling plan required under § 6-18-2003.

(b)(1) A school counselor shall spend at least ninety percent (90%) of his or her working time during student contact days providing direct and indirect services to students.

(2) Direct and indirect services may be provided in collaboration with other school personnel and include without limitation:

(A) Intervening with students who are at risk of dropping out of school to determine if there is a way to keep at-risk students in school;

(B) Following-up with high school graduates;

(C) Providing orientation programs for new students and transferring students at each level of education;

(D) Providing academic advisement services, including without limitation:

(i) Developing an individual planning system to guide a student to access and monitor the student's own educational, career, and social and emotional progress;

(ii) Guiding a student along the pathways to
(iii) Guiding a student in goal-setting experiences and course selection aligned with the student's post-secondary goals;
(iv) Addressing accelerated learning opportunities;
(v) Addressing academic deficits and the accessibility of resources;
(vi) Providing student assessment reviews, interest inventories, or academic results needed to develop, review, and revise a student's plan of study; and
(vii) Providing support for students who show potential so they are more likely to engage in rigorous coursework and take advantage of post-secondary opportunities;
(E) Providing a career planning process that includes without limitation:
(i) Guidance in understanding the relationship between classroom performance and success in school and beyond;
(ii) The provision of resources to identify career interests and aptitudes to assist a student in age-appropriate college and career planning;
(iii) Guidance in understanding the advantages of completing career certifications and internships;
(iv) Interpretation of augmented, criterion-referenced, or norm-referenced assessments for students and parents;
(v) The provision of information to a parent or legal guardian, such as through workshops on preparing for college, financial aid, and career opportunities; and
(vi) Encouragement to a parent or legal guardian to support partnerships in his or her student's learning and career planning processes;
(F) Providing social and emotional skills designed to support students, including without limitation programs:
(i) To promote cultural and social awareness,
positive communication and relationship skills, collaboration with others, and responsible decision making;
(ii) To improve culture and climate in the school so that all students can feel that they are in a safe and supportive
environment;

(iii) To develop conflict-resolution skills;
(iv) To prevent bullying that include without
limitation:

(a) Training programs for school employees

regarding how to recognize bullying behaviors;
(b) Protocols for responding to bullying that
is occurring in the school;
(c) Strategies that support a student who is
being bullied; and
(d) Strategies that help a bystander speak out
against bullying; and

(v) To address age-appropriate suicide awareness and
prevention through:

(a) Strategies that help identify a student

who is at risk for suicide;
(b) Strategies and protocols that help a
student who is at risk for suicide; and

(c) Protocols for responding to a suicide
death; and

(G) Serving as a contributing member of decision-making
teams, which include without limitation:

(i) Teams that are convened under Section 504 of the
(ii) Response-to-intervention teams;
(iii) English language learner programs;
(iv) Parental involvement or family engagement

programs;

(v) Positive behavioral intervention support

programs; and

(vi) Advanced placement and gifted and talented

programs.

(c)(1) Administrative activities performed by a school counselor shall
not exceed more than ten percent (10%) of the school counselor's time spent
working during student contact days.

(2) Administrative activities provided by a school counselor in
collaboration with other school personnel include without limitation:

(A) Coordinating state assessments, cognitive achievement assessments, advanced placement programs, and language acquisition testing programs;

(B) Developing master schedules;

(C) Coordinating of:

(i) Teams convened under Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112;

(ii) Response-to-intervention teams;

(iii) English language learner programs;

(iv) Parental involvement or family engagement programs;

(v) Positive behavioral intervention support programs;

(vi) Data entry; and

(vii) Advanced placement and gifted and talented programs; and

(D) Monitoring students in common areas such as the cafeteria, hallway, playground, and bus lines.


(a) Each public school district is responsible for posting its annual comprehensive school counseling plan on the district website under state required information.

(b)(1) Beginning with the 2020-2021 school year, the Department of Education shall monitor each public school district to ensure implementation and compliance with this subchapter.

(2) Failure by a public school district to comply with this subchapter is a violation of the Standards for Accreditation of Arkansas Public Schools and School Districts.

(c) The department shall:

(1) Employ at least one (1) individual who is certified as a school counselor;

(2) Provide a multilevel system of support to public school districts to assist in complying with the requirements of this subchapter; and
(3) Provide guidance and technical assistance to public school districts in order to support equitable access to public school counseling services.

APPROVED: 2/21/19
For An Act To Be Entitled

AN ACT CONCERNING IMMUNIZATIONS REQUIRED FOR PUBLIC
AND PRIVATE SCHOOL STUDENTS; TO REQUIRE A PUBLIC OR
PRIVATE SCHOOL TO CREATE AND MAINTAIN A REPORT THAT
PROVIDES CERTAIN INFORMATION REGARDING THE NUMBER AND
PERCENTAGE OF STUDENTS WITHIN THE PUBLIC OR PRIVATE
SCHOOL WHO HAVE AN EXEMPTION FROM THE REQUIREMENT TO
OBTAIN VACCINATIONS AND THE NUMBER AND PERCENTAGE OF
STUDENTS WITHIN THE PUBLIC OR PRIVATE SCHOOL WHO HAVE
NEITHER PROVIDED PROOF OF VACCINATION NOR OBTAINED AN
EXEMPTION FROM THE REQUIREMENT TO OBTAIN
VACCINATIONS; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE PUBLIC AND PRIVATE SCHOOLS TO
REPORT CERTAIN INFORMATION REGARDING THE
NUMBER AND PERCENTAGE OF STUDENTS WHO
HAVE EXEMPTIONS FROM OR HAVE NOT PROVIDED
PROOF OF REQUIRED VACCINATIONS.

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

SECTION 1. DO NOT CODIFY. Legislative intent.
The General Assembly finds that:
(1) Forty-six (46) states throughout the United States allow
exemptions based on religious or philosophical beliefs to vaccination
requirements for public and private school students;
(2) Continued allowance for exemptions to vaccination
requirements for public and private school students creates the opportunity for outbreaks of a number of preventable diseases, which poses a nationwide health crisis; and

(3) Reasonable steps should be taken in order to fully inform parents and legal guardians of public and private school students regarding the number and percentage of students within a public or private school who have been granted exemptions from or have failed to fulfill the requirement to obtain certain vaccinations in order to attend public or private school in Arkansas.

SECTION 2. Arkansas Code § 6-18-702(b), concerning the responsibility of public schools to enforce provisions of the law with respect to required immunizations of public school students, is amended to add an additional subdivision to read as follows:

(3)(A) A public or private school shall create and maintain a report that provides information regarding the:

(i) Number of students within the public or private school who have been granted from the Department of Health under subsection (d) of this section an exemption from the requirement to obtain one (1) or more vaccinations as required under this section; and

(ii) Percentage of students within the public or private school who have been granted from the Department of Health under subsection (d) of this section an exemption from the requirement to obtain one (1) or more vaccinations as required under this section.

(B) The report required under subdivision (b)(3)(A) of this section shall:

(i) Be updated by December 1 of each year;

(ii) Be posted and available to the public online;

(iii) Include the number of students within the public or private school who have:

(a) Failed to provide to the public or private school proof of the vaccinations required under this section; and

(b) Not obtained an exemption from the Department of Health under this section; and

(iv) Include the percentage of students within the public or private school who have:
(a) Failed to provide to the public or private school proof of the vaccinations required under this section; and

(b) Not obtained an exemption from the Department of Health under this section.

/s/Boyd

APPROVED: 4/3/19
State of Arkansas

2 92nd General Assembly
3 Regular Session, 2019

4

5 By: Representative Cozart
6 By: Senator J. English

7

8 For An Act To Be Entitled
9 AN ACT TO AMEND AND UPDATE VARIOUS PROVISIONS OF THE
10 ARKANSAS CODE CONCERNING PUBLIC EDUCATION; AND FOR
11 OTHER PURPOSES.

12

13

14 Subtitle
15 TO AMEND AND UPDATE VARIOUS PROVISIONS OF
16 THE ARKANSAS CODE CONCERNING PUBLIC
17 EDUCATION.

18

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

20

22 SECTION 1. Arkansas Code § 6-11-125(b), concerning the use of
23 information technology to eliminate the amount of paperwork by the State
24 Board of Education, is repealed.
25 (b) The State Board of Education, acting through the department, shall
26 use every means available to eliminate the amount of paperwork required by
27 state law and regulations to be reported from each local school district by
28 utilizing to the fullest extent possible, beginning no later than July 1, 1998, the information technology network linking local school districts and
29 the department.

32 SECTION 2. Arkansas Code § 6-11-126 is repealed.

33 6-11-126. - Computer funds approval.
34 Before the Department of Education obligates any funds for the purchase
35 or lease of a computer for the Arkansas Public School Computer Network, the
36 department shall first seek prior review from the Joint Interim Oversight
Subcommittee on Educational Reform.

SECTION 3. Arkansas Code § 6-11-127, is amended to read as follows:
6-11-127. School district boundaries.

The Commissioner of Education Arkansas Geographic Information Systems Office shall keep for the Commissioner of Education records showing descriptions of each school district in the state, a map showing the school districts with their boundaries, the location of the schoolhouses, and the electoral zones, if any, into which each school district has been divided.

SECTION 4. Arkansas Code § 6-13-1403(d)(2)(B), concerning the conditions under which the State Board of Education may annex school districts, is amended to read as follows:

(B) It shall be is the duty of the Department of Education Arkansas Geographic Information Systems Office to make changes in the maps of the school districts to properly show the boundary lines of the receiving district or districts.

SECTION 5. Arkansas Code § 6-13-1404(d)(2)(B), concerning the conditions under which the State Board of Education may consolidate school districts, is amended to read as follows:

(B) It shall be is the duty of the Department of Education Arkansas Geographic Information Systems Office to make changes in the maps of the school districts to properly show the boundary lines of the resulting district or districts.

SECTION 6. Arkansas Code § 6-13-1414(d), concerning boundary changes by the State Board of Education, is amended to read as follows:

(d) Upon an order from the state board to change or adjust boundary lines, it shall be the duty of the Department of Education Arkansas Geographic Information Systems Office to immediately make changes in the maps of the school districts of the county to show the changes of boundaries.

SECTION 7. Arkansas Code § 6-14-113 is repealed.

6-14-113. Election kits for school elections.

(a) In order that the annual school elections held throughout this
state will be conducted in a more uniform manner, the State Board of
Education is authorized and directed to prepare and distribute annually upon
the request of the county board of election commissioners of each county
annual school election kits or packages designed especially for conducting
annual school elections in the manner required by law.

(b) The kits or packages shall contain forms for a list of voters and
duplicate list of voters, tally sheets, oaths of election officials,
certificates of results, and notices of election. In addition thereto, the
kits or packages shall contain carbon paper, envelopes for regular,
irregular, and spoiled ballots, instructions for voters and election
officials, seals, and other necessary equipment and supplies except ballot
boxes, ballots, and certified lists of eligible voters, which shall be
furnished to the election officials in the manner provided by law.

(c)(1) The kits or packages provided for in this section shall be
distributed annually to the several county boards of election commissioners
at least thirty (30) days prior to the annual school election.

(2) A sufficient number of kits or packages shall be supplied to
each county in order that at least one (1) kit or package may be made
available at each voting precinct or voting place in the county.

(d) The cost of the kits or packages prepared by the Department of
Education pursuant to this section shall be paid from the maintenance funds
provided for the department by legislative appropriation.

SECTION 8. Arkansas Code § 6-15-202(f)(15), concerning development of
regulations and standards for accreditation, is repealed.

(15)—Section 6-15-2009 [repealed] concerning remedial
instruction;

SECTION 9. Arkansas Code § 6-15-202(f)(22) and (23), concerning
development of regulations and standards for accreditation regarding health
education and oral health standards, are repealed.

(22)—Section 6-16-1002 [repealed] concerning health education;
(23)—Section 6-16-1003 [repealed] concerning oral health
standards;

SECTION 10. Arkansas Code § 6-15-202(f)(31), concerning development of
regulations and standards for accreditation regarding the qualifications for
valedictorian and salutatorian, is amended to read as follows:

(31) Section 6-18-101 concerning qualifications for
valedictorian and salutatorian, if applicable;

SECTION 11. Arkansas Code § 6-15-202(f)(35), concerning development of
regulations and standards for accreditation regarding attendance, is
repealed.

(35)—Section 6-18-211 [repealed] concerning attendance for
students in grades nine through twelve (9-12);

SECTION 12. Arkansas Code § 6-15-1005(f)(1), concerning safe,
equitable, and accountable public schools, is amended to read as follows:

(f)(1) All public schools will have a program plan of parental
involvement.

SECTION 13. Arkansas Code § 6-15-1402(a), concerning the rules
regarding school performance reports, is amended to read as follows:

(a)(1) In order to generally improve public school accountability, to
provide benchmarks for measuring individual school improvement, and to
empower parents and guardians of children enrolled in Arkansas public schools
by providing them with the information to judge the quality of their schools,
the Department of Education shall annually prepare and publish annually a
school performance report for each individual public school in the state,
including without limitation the Arkansas School for the Deaf, the Arkansas
School for the Blind, and the Arkansas School for Mathematics, Sciences, and
the Arts, and shall distribute the report to notify the House Committee on
Education and the Senate Committee on Education of the availability of the
report on the department website no later than April 15 each year.

(2)(A) The school performance report for each school shall be
made available to every parent or guardian of a child in kindergarten through
grade twelve (K-12) in the public schools of Arkansas by posting the school
performance report for each school on the website of the department by April
15 each year and the website of the school district in which the public
schools addressed in the school performance report are located no later than
April 15 each year.
(B) Each school district shall post the school performance report for each of its schools on the district's website not later than ten (10) days after it is posted on the department's website.

SECTION 14. Arkansas Code § 6-15-1402(b)(2), concerning a school performance report for elementary schools, is amended to read as follows:
(2) The school performance report for elementary schools shall:
(A) Include three-year trend data and allow parents or guardians to compare the school's performance with state and national averages in areas and shall include, but not be limited to, without limitation the following measures:
(i) School safety;
(ii) Statewide student assessment results beginning with grade three (3);
(iii) Licensed staff qualifications;
(iv) Total per-pupil spending;
(v) Assessment of the local taxpayer investment in the school district;
(vi) Percentage of students eligible to receive free or reduced-price meals;
(vii) Average salary of the staff; and
(viii) Average attendance rates for students; and
(B) Indicate separately whether:
(i) The school distributed the school's student discipline policy to parents;
(ii) The school's teachers, administrators, classified school employees, and volunteers have been provided with appropriate student discipline training; and
(iii) The school district has adopted a parental involvement plan in compliance with § 6-15-1702.

SECTION 15. Arkansas Code § 6-15-1704(a), concerning the annual review of parental involvement plans, is amended to read as follows:
(a) Annually by October August 1, every school district shall review and update the school district's parental involvement plan and:
(1) File a copy of the plan with the Department of Education;
(2) Place a copy of the plan on the school district’s website;

and

(3)(A) Place a parent-friendly summary of the plan as a

supplement to the student handbook.

(B) The parent shall sign a form acknowledging receipt of

the summary and return the signed form to the school where the student is

enrolled.


performance reports, is amended to read as follows:

(b)(1) A school district board of directors shall publish annually the

school performance report required by § 6-15-2101 on its website not later

than ten (10) days after it is posted on the department’s website, with the

option of also publishing it in the local newspaper, by October 15 of each

year, and the following information on the prior school year or the latest

information available:

(A) By grade level, economic status, and ethnicity, the

number and percentage of all students in kindergarten through grade twelve

(K-12) performing at each category level on the statewide student assessment,

the percentile rankings by school and grade level on any other assessments as

required by the State Board of Education, the number of students taking

advanced placement courses or courses offered under the International

Baccalaureate Diploma Programme, the number taking the advanced placement

exams, and the percent of students making a 3, 4, or 5 on advanced placement

exams;

(B) By grade level, the number and percentage of all

students retained in grades one through eight (1-8);

(C) The graduation rate, grade inflation rate, drop-out

rate for grades nine through twelve (9-12), and college remediation rate;

(D) The number of students transferring pursuant to the

unsafe school provision of § 6-18-320; and

(E) The number of students transferring pursuant to the


SECTION 17. Arkansas Code § 6-15-2202(b)(2), concerning access to

public school information on school improvement plans for school districts
classified as in need of Level 5 — Intensive support, is amended to read as follows:

(2) A parent-friendly explanation of—

(A) The level of support being provided to the public school district;

(B) The status of each public school in the public school district; and

(C) Why the public school district is receiving Level 5 — Intensive support, a school is identified as in need of targeted or comprehensive support, or the public school district is in fiscal distress and what the public school district is doing to be removed from Level 5 — Intensive support, to remove the school or schools within the public school district from being identified as in need of targeted or comprehensive support, or to be removed from fiscal distress;

SECTION 18. Arkansas Code § 6-15-2202(c)(1), concerning access to public school information on school improvement plans and a school’s compliance with the standards for accreditation, is amended to read as follows:

(1) Directly monitors a school for compliance with standards and for accreditation; or

SECTION 19. Arkansas Code § 6-15-2401(b), concerning review of Arkansas Placement Status Reports and reports of students needing remediation, is repealed.

(b) As a part of the school improvement plan pursuant to § 6-15-2201, the State Board of Education shall ensure that each school district and high school develops strategies to improve student readiness for the public postsecondary level based on annual analysis of the feedback report data.

SECTION 20. Arkansas Code § 6-15-2502(a), concerning the establishment of educational renewal zones, is amended to read as follows:

(a) Effective July 1, 2004, any A public school, an education service cooperative, or an institution of higher education is authorized to enter into one (1) or more interlocal agreements through which they collaborate to
improve public school performance and academic achievement.

SECTION 21. Arkansas Code § 6-15-2502(c)(1), concerning the establishment of educational renewal zones to improve school performance and achievement, is amended to read as follows:

(1) Identify and implement education and management strategies designed specifically to improve public school performance and student academic achievement throughout the State of Arkansas, with special focus on the state's most academically distressed public schools in need of support;

SECTION 22. Arkansas Code § 6-15-2502(d)(3)(B)(ii), concerning the establishment of educational renewal zones, is amended to read as follows:

(ii) A public school district designated classified by the Department of Education as a school in school improvement or a school in a school district designated by the department as being in academic distress need of Level 5-intensive support shall participate in an education renewal zone if requested to do so by the department, and the division working with the department shall establish priorities of establishing education renewal zones for those schools, which shall be contingent on the appropriation availability of funding for the renewal zones.

SECTION 23. Arkansas Code § 6-15-2502(d)(3)(C)(i) and (ii), concerning the establishment of educational renewal zones for schools identified as at risk or classified as in need of Level 5 – Intensive support, are amended to read as follows:

(i) The school is classified identified as a school in school improvement or alert status for school improvement at risk for meeting school performance indicators for all students or for any one (1) identified subpopulation under the Arkansas state compliance plan under the No Child Left Behind Act of 2001 Every Student Succeeds Act, 20-U.S.C. § 6301 et seq. Pub. L. No. 114-95;

(ii) The school lies within a school district designated by the department classified by the State Board of Education as in academic distress or financial distress need of Level 5 – Intensive support under the Arkansas Comprehensive Testing, Assessment, and Accountability Program Arkansas Educational Support and Accountability Act, § 6-15-2901 et
SECTION 24. Arkansas Code § 6-15-2503(a), concerning inclusion of schools within designated educational renewal zones, is amended to read as follows:

(a)(1) The Division of Education Renewal Zones, the State Board of Education, and the local school districts shall exercise due diligence to assure, to the extent that funds are available, that each school classified identified as a school in school-improvement need of support under the No Child Left Behind Act of 2001 Every Student Succeeds Act, 20 U.S.C. § 6301 et seq., as in existence on December 1, 2003 Pub. L. No. 114-95, is included in a designated education renewal zone.

(2) The state board may promulgate rules establishing criteria for the placement of schools in school-improvement need of support in a designated education renewal zone if insufficient funds exist to place all schools in school-improvement need of support in a designated education renewal zone.

SECTION 25. Arkansas Code § 6-15-2504(a) and (b), concerning school improvement plans, are amended to read as follows:

(a) Each school participating in an education renewal zone shall develop and implement a school-level improvement plan.

(b) Each school school-level improvement plan shall at a minimum include the following:

(1) Goals for improving student achievement;

(2) Measurable benchmarks for achieving student improvement goals;

(3) A timeline for reaching goals in improving student achievement; and

(4) Requirements for services to be provided by the education renewal zone partners.

SECTION 26. Arkansas Code § 6-15-2605(e)(1) and (2), concerning the application forms and procedures for the Rewarding Excellence in Achievement Program, are amended to read as follows:

(e)(1) In order to participate in the Rewarding Excellence in
Achievement Program, a public school district or public charter school must shall have an approved comprehensive school improvement plan, as defined in § 6-15-419(9) [repealed] a district support plan that outlines the role of the district in supporting the Rewarding Excellence in Achievement Program.

(2) Before full implementation of a Rewarding Excellence in Achievement plan, the comprehensive school improvement plan school-level improvement plan of the public school, public school district, or public charter school shall include:

(A) Assessment and evaluation tools to measure student performance and progress based on an achievement gains model;

(B) Performance goals and benchmarks for improvement;

(C) Measures of student attendance and completion rates;

(D) A rigorous professional development system consistent with the comprehensive school improvement plan defined in § 6-15-419(9) and student academic improvement plans as defined in § 6-15-419(3);

(E) Measures of student, family, and community involvement and satisfaction;

(F) A data reporting system about students and their academic progress that provides parents and the public with understandable information;

(G) A teacher induction and mentoring program for probationary teachers that provides continuous learning and sustained teacher support; and

(H) Substantial participation by teachers in developing the Rewarding Excellence in Achievement plan.

SECTION 27. Arkansas Code § 6-15-2606(c)(1)(A), concerning the contents of a Rewarding Excellence in Achievement plan regarding achievement gains of students in a teacher's class, is amended to read as follows:

(1)(A) Achievement gains of students in each teacher's class on student scores under the statewide student assessment program system described in § 6-15-433 6-15-2907.

SECTION 28. Arkansas Code § 6-15-2606(c)(2)(A), concerning the contents of a Rewarding Excellence in Achievement plan regarding achievement gains of students on a school-wide basis, is amended to read as follows:
(2)(A) Achievement gains of students on a school-wide basis under the statewide student assessment program system described in § 6-15-433 [repealed] 6-15-2907.

SECTION 29. Arkansas Code § 6-15-2606(c)(3)(A), concerning the Rewarding Excellence in Achievement Program regarding a teacher evaluation, is amended to read as follows:

(A) An individual objective teacher evaluation conducted by the school principal that is aligned with the comprehensive school improvement plan and professional development plan described in § 6-15-2607; and

SECTION 30. Arkansas Code § 6-15-2701(c)(2), concerning the use of national school lunch state categorical funding for chronically underperforming schools, is amended to read as follows:

(2) In a chronically underperforming school’s comprehensive school-level improvement plan, direct the use of national school lunch state categorical funding for strategies to close gaps in academic achievement, including without limitation:

(A) Using an Arkansas Scholastic Audit;

(B) Using disaggregated school data to set academic improvement targets in reading, writing, mathematics, and science;

(C) Using improvement targets to define professional development needs related to content, instruction, differentiation, and best practices in educating special education students, gifted and talented students, English language learners, and other student subgroups as needed;

(D) Developing interim building-level assessments to monitor student progress toward proficiency on the state benchmark assessments;

(E) Developing a plan to immediately address gaps in learning;

(F) Examining and realigning, as needed, school scheduling, academic support systems, and assignments of personnel; and

(G) Designing a plan for increasing parental knowledge and skill to support academic objectives; and

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SECTION 31. Arkansas Code § 6-15-2701(d)(1), concerning school improvement plans for chronically underperforming schools, is amended to read as follows:

(1) Monitoring school school-level improvement plans; and

SECTION 32. Arkansas Code § 6-17-119(b)(7), concerning alternative pay programs included in a school district’s comprehensive school improvement plan, is amended to read as follows:

(7) The program is aligned and linked to each school’s comprehensive school improvement included in the district’s support plan;

SECTION 33. Arkansas Code § 6-17-209(g), concerning interim personnel policy committees, is amended to read as follows:

(g) The provisions of this This section shall does not apply to instances in which the State Board of Education votes to annex or consolidate one (1) school district to or with two (2) or more receiving or resulting school districts due to enforcement by the state board of the provisions of this title relating to academic distress Level 5 - Intensive support, academic facilities distress, fiscal distress, or violations of the Standards for Accreditation of Arkansas Public Schools and School Districts.

SECTION 34. Arkansas Code § 6-17-402(j)(1), concerning core licensure areas under the State Board of Education rules, is amended to read as follows:

(1) Early Childhood Elementary Education (K-6);

SECTION 35. Arkansas Code § 6-18-701 is amended to read as follows:

6-18-701. Physical examinations — Individualized healthcare plans.

(a) It shall be lawful for the The board of directors of any a school district in this state to may appoint and provide for the payment of at least one (1) or more physicians or nurses physician or nurse and to assign any person so employed the physician or nurse to the public schools of the district for the purpose of making such physical examinations of the pupils of the schools public school students as may be prescribed in the rules and regulations of the State Board of Education.

(b) The nature of the examination shall be only such as to detect
contagious or infectious diseases or any defect of sight, hearing, or
function or condition of health tending to prevent any that may prevent a
pupil from receiving the full benefit of school work.

(c) It shall be the duty of any physician or nurse so employed to The
physician or nurse appointed under subsection (a) of this section shall make
such examinations for contagious or infectious disease, including without
limitation the teeth and mouth, whenever the examination may be deemed
necessary, and to make examination for other defects at least one (1) time in
each school year, preferably at or near the beginning of the year.

(d) In any a city, town, or any county where the health authorities
are providing provide for the physical examination of public school children
substantially as contemplated students provided in this section, the
examination provided for in this section need not may not be made by any
school physician or school nurse.

(e) Nothing in this section shall be construed as preventing boards of
directors from requiring teachers to make such tests of sight and hearing as
may be prescribed by the board of directors.

(f)(e)(1) Any pupil A public school student may be excused from the
examination herein provided for under this section on presentation of a
certificate from a reputable physician that the physician has recently
examined the pupil public school student or on presentation of a written
statement of the pupil public school student’s parent or guardian that the
parent or guardian objects to the examination of his or her child or ward;
but this provision shall not be applicable

(2) However, subdivision (e)(1) does not apply in the case of a
pupil public school student suspected of having a contagious or infectious
disease.

(f)(1) A public school student with special healthcare needs,
including without limitation a student who has a chronic illness, is
considered medically fragile, or who is dependent on technology, shall have
an individualized healthcare plan that is developed in collaboration with the
school nurse.

(2) An invasive medical procedure required by the public school
student and provided at the public school shall be performed by trained and
licensed, licensed healthcare provider who is licensed to perform the task
under § 17-87-102(10)(D) or other professional licensure statutes, unless
otherwise permissible under § 17-87-103(10) and (11).

(3) A regular classroom teacher shall not perform tasks under subdivision (f)(2) of this section, except as otherwise permissible under § 6-18-711(c).

(4) Custodial healthcare services required by a public school student under an individualized healthcare plan shall be provided by trained school employees other than the regular classroom teacher.

SECTION 36. Arkansas Code § 6-18-709(g), concerning the report to the Department of Education of certain information regarding school nurses, is amended to read as follows:

(g) Annually, beginning on July 1, 2015 by August 31, a school district shall report the following to the Department of Education:

(1) The number of full-time nurses employed by the school district;

(2) The number of part-time nurses employed by the school district;

(3) The number of full-time nurses with whom the school district contracts for service;

(4) The number of part-time nurses with whom the school district contracts for service;

(5) The level of licensure of each nurse working in the school district;

(6) The highest degree obtained for each nurse working in the school district;

(7) The amount of pay, including without limitation the source of funding, for each nurse working in the school district; and

(8) The number of students in the school district that are in each nursing acuity level as follows:

(A) Level 1 for students with occasional health concerns and routine health screenings at a ratio of one (1) school nurse per seven hundred fifty (750) students;

(B) Level 2 for students with healthcare concerns and those that require an individualized healthcare plan at a ratio of one (1) school nurse per four hundred (400) students;

(C) Level 3 for students with medically complex conditions
at a ratio of one (1) school nurse per two hundred twenty-five (225)
students;

(D) Level 4 for students with medically fragile conditions
at a ratio of one (1) school nurse per one hundred twenty-five (125)
students; and

(E) Level 5 for students that are nursing dependent at a
ratio of one (1) school nurse per one (1) student.

SECTION 37. Arkansas Code § 6-18-711, concerning the administration of
medication to a public school student with diabetes, is amended to add an
additional subsection to read as follows:

(c) A public school employee may volunteer to be trained to administer
and may administer glucagon to a student with Type 1 diabetes in an emergency
situation as permitted under § 17-87-103(11).

SECTION 38. Arkansas Code § 6-18-1803(b), concerning the Arkansas
Commission on Eye and Vision Care of School-Age Children, is amended to read
as follows:

(b) The commission and the Department of Education shall report their
findings and updates to the Governor, the Legislative Council, and the House
Committee on Public Health, Welfare, and Labor and Senate Committee on Public
Health, Welfare, and Labor two (2) times per year annually.

SECTION 39. Arkansas Code § 6-18-1803(c)(1) and (2), concerning the
Arkansas Commission on Eye and Vision Care of School-Age Children, are
amended to read as follows:

(c)(1){A} The commission may accept any and all donations, grants of
money, gifts, appropriations, instruments, equipment, supplies, materials,
and services, conditional or otherwise, from private sources, from municipal
and county governments, from the state, and from the United States
government.

{B} (2) The commission may use any of its resources to
further the commission’s purposes and functions.

{2}{A} There is created on the books of the Treasurer of State,
Auditor of State, and Chief Fiscal Officer of the State a special revenue
fund to be known as the "School-Age Children Eye and Vision Care Fund".
(B) (i) (3) All moneys collected under this section shall be deposited into the State Treasury to the credit of the fund as special revenue a cash fund within the State Treasury to be maintained by the department.

(ii) The fund shall also consist of any other revenues authorized by law.

(iii) Within thirty (30) days after the effective date of this subchapter, the commission shall transfer all funds currently held to the fund.

(C) The fund shall be used by the commission for the purpose of carrying out its responsibilities under this section.

(D) Any money not used by the commission within a fiscal year to carry out its responsibilities under this section shall be carried forward into the next fiscal year.

SECTION 40. Arkansas Code § 6-18-1804 is repealed.

6-18-1804. Funding.

(a) (i) The Arkansas Commission on Eye and Vision Care of School-Age Children's funding shall be from grants, donations, and any other funds that may be made available through appropriations by the General Assembly.

(ii) Moneys received by the commission shall be used solely for the support of the functions of the commission.

(b) (i) Grants and donations received by the commission shall be cash funds and shall be administered by the Arkansas Department of Health but shall be subject to appropriation by the General Assembly.

(ii) Any moneys received from grantees and donors that are not expended by the commission shall be returned to the grantees and donors in proportion that each bears to the total of all grants and donations received by the commission.

SECTION 41. Arkansas Code § 6-19-106 is amended to read as follows:


(a) No person physically defective or of unsound mind, known to be a habitual drunkard or of immoral habits, or a person who has been convicted within the past three (3) years of operating a motor vehicle in a reckless manner or while under the influence of intoxicating liquor or narcotic drugs,
who has a general reputation of being a fast and reckless operator of motor
vehicles without regard to the rights of others, or who is less than nineteen
(19) years of age on June 30 following his or her last birthday shall not be
permitted or employed to act as chauffeur or operator of operate any school
bus, either privately or publicly owned, operated by public school districts
and used to transport pupils to and from the public schools in the State of
Arkansas.

(b)(1) All school bus drivers employed as provided herein are exempt
from the regular chauffeur's license as herefore required by law.

(2) This subsection does not, however, apply to drivers of buses
operated for other purpose or purposes than to transport school children.

SECTION 42. Arkansas Code § 6-20-106 is repealed.

6-20-106. Amendment 74 rules and regulations.

Due to pending public school finance litigation, before any rules and
regulations pursuant to the implementation of Arkansas Constitution,
Amendment 74, are reviewed by the Administrative Rules and Regulations
Subcommittee of the Legislative Council and adopted by the Department of
Education, such proposed rules and regulations shall be reviewed by the
Litigation Reports Oversight Subcommittee of the Legislative Council.

SECTION 43. Arkansas Code § 6-20-210 is repealed.

6-20-210. Pulaski County desegregation.

(a) For the fiscal year ending June 30, 2004, and for each fiscal year
thereafter, the Department of Education shall, from time to time as needed,
certify to the Treasurer of State and the Chief Fiscal Officer of the State
the amount of funds disbursed or approved to be disbursed by the department
for desegregation expenses under the Pulaski County School Desegregation
Settlement Agreement.

(b) Upon the receipt of the certification and after making those
deductions as set out in § 19-5-202(b)(2)(B), the Treasurer of State shall
also deduct from the net general revenues the amount certified and transfer
this amount to the Department of Education Public School Fund Account, there
to be used exclusively for payment of or reimbursement for expenses incurred
from the Department of Education Public School Fund Account under the
agreement.
SECTION 44. Arkansas Code § 6-20-212 is repealed.

6-20-212. Desegregation expenses.

(a) For the fiscal year ending June 30, 2005, and for each fiscal year thereafter, the Department of Education shall from time to time, as needed, certify to the Treasurer of State and the Chief Fiscal Officer of the State, the amount of funds disbursed or approved to be disbursed by the department for desegregation expenses under any desegregation settlement agreement.

(b) Upon the receipt of the certification, the Treasurer of State, after making those deductions as set out in § 19-5-202(b)(2)(B), shall also deduct from the net general revenues the amount certified and transfer this amount to the Department of Education—Public School Fund Account, there to be used exclusively for payment of or reimbursement for expenses incurred from the account under any desegregation settlement agreement.

SECTION 45. Arkansas Code § 6-20-2203(c)(3)-(8), concerning uniform budget and accounting system regarding specific categories of public school and public school district expenditures, are amended to read as follows:

(3)(A) Categories and descriptions of public school and school district expenditures that allow for the gathering of data on separate functions and programs provided by law, including without limitation the following expenditures:

(i)(A) Athletic expenditures;
(ii)(B) Student transportation expenditures;
(iii)(C) School district level administrative costs;
(iv)(D) School level administrative costs;
(v)(E) Instructional facilitators;
(vi)(F) Supervisory aides;
(vii)(G) Substitutes;
(viii)(H) Property insurance; and
(ix)(I) Expenditures of court-ordered desegregation funding.

(B) The department shall implement the expenditure categories in this subdivision (c)(3) beginning with the 2007-2008 school year;

(4)(A) Categories and descriptions of public school and school
district expenditures that allow for the tracking of expenditures from the following sources of revenue:

- Student growth; (A)
- Declining enrollment; (B)
- Special education catastrophic high-cost occurrences; (C)
- Special education services; (D)
- Technology grants; (E)
- Debt service funding supplement; (F)
- General facilities funding; (G)
- Distance learning; (H)
- Gifted and talented; and (I)
- Court-ordered desegregation funding. (J)

(B) The department shall complete a trial implementation of the revenue categories in subdivisions (e)(4)(A)(i) and (ii) of this section by the end of the 2007-2008 school year and fully implement all revenue categories in this subdivision (e)(4) beginning with the 2008-2009 school year;

(5)(A) Categories and descriptions of student management coding, including without limitation:

- Number of students transported; and (A)
- Daily route mileage. (B)

(B) The department shall implement this subdivision (e)(5) beginning with the 2007-2008 school year;

(6)(A) Categories and descriptions of restricted fund balances that provide documentation of the purpose for the restriction;

(B) The department shall implement this subdivision (e)(6) beginning with the 2007-2008 school year;

(7) Categories and descriptions of expenditures that each education service cooperative shall report on its annual report authorized by law; and

(8)(A) Rules relating to computing error rates in coding and reporting financial information under the system and penalties to focus on areas needing improvement.

(B) The department shall implement this subdivision (e)(8) beginning with the 2007-2008 school year.
SECTION 46. Arkansas Code § 6-20-2206(c)(5)(A), concerning miscellaneous provisions under the Arkansas Educational Financial Accounting and Reporting Act of 2004, is amended to read as follows:

(5)(A) All pupil attendance records shall be kept in their original form and shall be public records.

SECTION 47. Arkansas Code § 6-20-2207(a)(3), concerning rulemaking authority under the Arkansas Educational Financial Accounting and Reporting Act of 2004, is amended to read as follows:

(3) As necessary to comply with federal law, the Arkansas Handbook initially shall comply with the Financial Accounting for Local and State School Systems, 2003 Edition (NCES 2004-318). The Arkansas Handbook shall be exempt from the rule-making process and procedures required pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

SECTION 48. Arkansas Code § 6-20-2303(21), concerning public school funding definitions, is amended to read as follows:

(21) "Special education catastrophic high-cost occurrences" means individual cases in which special education and related services required by the individualized education program of a particular student with disabilities are unduly expensive, extraordinary, or beyond the routine and normal costs associated with special education and related services provided by a school district and funding is pursuant to rules promulgated by the state board;

SECTION 49. Arkansas Code § 6-20-2305(b)(4)(C)(iii), concerning use of a school district’s national school lunch state categorical funds, is amended to read as follows:

(iii) The school district shall include with its comprehensive school school-level improvement plan a written detailed statement concerning how the school district will use its excess national school lunch categorical funds each school year and explaining in detail the amount of funds and percent of total funds to be used to supplement all classroom teacher salaries as allowed in subdivision (b)(4)(C)(ii) of this section.
SECTION 50. Arkansas Code § 6-20-2305(c), concerning public school funding, is amended to read as follows:

(c) Isolated funding under § 6-20-601, student growth funding, and special education-catastrophic education high-cost occurrences funding shall be funded as follows:

(1) Isolated funding and special education-catastrophic education high-cost occurrences funding shall be allocated and funded to school districts in a line item appropriation within the Public School Fund pursuant to law or rules promulgate by the State Board of Education; and

(2) Student growth funding is calculated as the sum of the following amounts:

(A) One quarter (1/4) of the per student foundation funding for the school district under subdivision (a)(2) of this section multiplied by the increase, if any, of each of the following:

(i) The school district’s quarterly average daily membership for the fourth quarter of the previous school year over the average daily membership of the previous school year;

(ii) The school district’s quarterly average daily membership for the first quarter of the current school year over the average daily membership of the previous school year;

(iii) The school district’s quarterly average daily membership for the second quarter of the current year over the average daily membership of the previous school year; and

(iv) The school district’s quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year;

(B) Excluding any increase resulting solely from consolidation or annexation with another school district; and

(C) If net revenues minus any recoupment under subdivision (a)(4)(B) of this section plus miscellaneous funds calculated under § 6-20-2308(b)(1)(A) exceed the foundation funding amount, a school district shall be eligible to receive the amount of calculated student growth funding that exceeds net revenues minus any recoupment under subdivision (a)(4)(B) of this section plus miscellaneous funds calculated under § 6-20-2308(b)(1)(A).
SECTION 51. Arkansas Code § 6-21-112(f)(14), concerning the records of
the Division of Public School Academic Facilities and Transportation, is
amended to read as follows:
(14) Keep records showing a description of each school
district in the state, a map showing the school districts with current and
accurate boundaries, the location of the academic facilities in the state by
school district, and the electoral zones, if any, into which each school
district has been divided;

SECTION 52. Arkansas Code § 6-21-403(c), concerning requirements under
the Free Textbook Act of 1975, is amended to read as follows:
(c) Any materials purchased with state funds shall be
consistent with the curriculum Arkansas Academic Content Standards and
educational goals established by the State Board of Education.

SECTION 53. Arkansas Code § 6-21-403(d)(2), concerning requirements
under the Free Textbook Act of 1975, is amended to read as follows:
(2) The state board, through the department, may promulgate
rules as may be necessary to carry out this subchapter and shall report to
the members of the House Committee on Education and Senate Committee on
Education annually any school district out of compliance by November 1 of
each year.

SECTION 54. Arkansas Code § 6-23-105(e)(1)(A), concerning the basis
and procedure for public charter school probation or charter modification,
revocation, or denial of removal, is amended to read as follows:
(e)(1)(A) Immediately upon the revocation of a an open-enrollment
charter by the authorizer, the public charter school shall:
(i) Transfer to the department all state funds held
by the public charter school, which the department shall hold in
receivership; and
(ii) Provide to the department a detailed accounting
of all accounts payable due from the state funds and any additional
information or records requested by the department concerning the
disbursement of the state funds.
For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING PUBLIC SCHOOL ACCOUNTABILITY; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING PUBLIC SCHOOL ACCOUNTABILITY.

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

SECTION 1. Arkansas Code § 6-15-202(e), concerning on-site standards
for accreditation reviews, is amended to read as follows:

(e)(1) The department shall conduct an on-campus Standards for
Accreditation of Arkansas Public Schools and School Districts review for each
public school or public school district in the state no less than one (1)
time every four (4) years:

(A) Identified as being at a high risk of failing to meet
the standards; or

(B) Whenever the department or state board deems
necessary.

(2) The department may visit any school campus for an on-campus
Standards for Accreditation of Arkansas Public Schools and School Districts
review at other additional times as determined necessary by the Commissioner
of Education or the state board. The review under subdivision (e)(1) of this
section may be conducted onsite at the public school or public school
district.
SECTION 2. Arkansas Code § 6-15-206(d), concerning onsite standards for accreditation reviews, is amended to read as follows:

(d)(1) The department shall conduct a review of each school's compliance shall be made at least every two (2) years or more frequently if the department has reason to believe that the school district or any school therein within the public school district has fallen below standards for accreditation.

(2) The review under subdivision (d)(1) of this section may be conducted onsite at the public school or public school district.

SECTION 3. Arkansas Code § 6-15-2006(b) and (c), concerning publication of annual school district progress reports, is amended to read as follows:

(b)(1) A school district board of directors shall publish annually in the local newspaper on its website the school performance report required by § 6-15-1402 and report in writing to the State Board of Education by October 15 of each year the following information on the prior school year or the latest information available:

(1)(A) By grade level, economic status, and ethnicity, the number and percentage of all students in kindergarten through grade twelve (K-12) performing at each category level on the state-mandated examinations, the percentile rankings by school and grade level on any other assessments as required by the state board, the number of students taking advanced placement courses or courses offered under the International Baccalaureate Diploma Programme, the number taking the advanced placement exams, and the percent of students making a 3, 4, or 5 on advanced placement exams;

(2)(E) By grade level, the number and percentage of all students retained in grades one through eight (1-8);

(3)(C) The graduation rate, grade inflation rate, drop-out rate for grades nine through twelve (9-12), and college remediation rate;

(4)(D) The number of students transferring pursuant to the unsafe school provision of § 6-15-432; and


(2) The school performance report shall be easily identifiable on the website.
(3) The public school district may also publish the school performance report in the local newspaper.

(c) A printed copy of the school performance report required by § 6-15-1402 shall be made available upon request.

(d) This section shall apply to the extent that it is not in violation of applicable state or federal law.

SECTION 4. Arkansas Code § 6-15-2107(c)(1)(C), concerning performance-based funding, is repealed.

(C) Needs improvement-focus schools and needs improvement-priority schools as defined in rules of the state board are ineligible to receive rewards under this section.

SECTION 5. Arkansas Code § 6-15-2107(c)(3) and (4), concerning the Arkansas School Recognition Program, are repealed.

(3) Each school that receives performance-based funding shall submit to the department a proposal for its spending of the performance-based funding.

(4) The department shall:

(A) Review each proposal received under this section; and

(B) Approve spending of performance-based funding for academic expenses only as provided under subsection (c) of this section.

SECTION 6. Arkansas Code § 6-15-2107(f), concerning the Arkansas School Recognition Program, is amended to read as follows:

(f) School recognition awards are exempt from §§ 6-17-119 and 6-20-412.

(g) The General Assembly shall appropriate and fund sufficient funds to implement this section.

/s/C. Douglas

APPROVED: 04/04/2017
For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING DYSLEXIA SCREENING AND INTERVENTION IN
PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING DYSLEXIA SCREENING AND
INTERVENTION IN PUBLIC SCHOOLS; AND FOR
OTHER PURPOSES.

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

SECTION 1. Arkansas Code § 6-41-603(c)(2)(A), concerning required
dyslexia screening and intervention, is amended to read as follows:

(2)(A)(i) If the level II dyslexia screening conducted by the
school district indicates that a student exhibits characteristics of
dyslexia, the student shall be provided intervention services.

(ii) The level II dyslexia screening shall be
completed consistent with the Arkansas Dyslexia Resource Guide.

SECTION 2. Arkansas Code § 6-41-606 is amended to read as follows:

6-41-606. Reporting by school district.

(a) The superintendent of a school district annually shall report the
results of the school district screening required under § 6-41-603.

(b) Before July 15, a public school district shall report on the
website of the public school district or in writing to the parents of each
student in the public school district the following information:

   (1) The dyslexia intervention programs used during the previous
   school year that were specifically responsive to assisting students with
   dyslexia;

   (2) The number of students during the previous school year who
   received dyslexia intervention under this subchapter; and

   (3) The total number of students identified with dyslexia during
   the previous school year.

SECTION 3. Arkansas Code Title 6, Chapter 41, Subchapter 6, is amended
   to add an additional section to read as follows:

   
   (a)(1) A public school district that fails to comply with this
   subchapter:

   (A) Shall be in violation of the Standards for
   Accreditation of Arkansas Public Schools and School Districts; and

   (B) May be placed in probationary status.

   (2) A public school district placed on probationary status under
   subdivision (a)(1) of this section shall report the reason for being placed
   on probationary status:

   (A) On the website of the public school district; and

   (B) By written notification to the parents of each student
   in the public school district.

   (b) The Department of Education:

   (1) Shall enforce the requirements of this subchapter; and

   (2) May promulgate rules to enforce and implement this
   subchapter.


/s/Elliott

APPROVED: 04/06/2017