

Stricken language would be deleted from and underlined language would be added to present law.  
Act 57 of the 2nd Extraordinary Session

1 State of Arkansas

As Engrossed: H1/15/04

Call Item 4

2 84th General Assembly

# A Bill

3 Second Extraordinary Session, 2003

HOUSE BILL 1111

4

5 By: Representatives Dickinson, Bennett, Berry, Bolin, P. Bookout, Chesterfield, Cowling, Dees, D.

6 Evans, L. Evans, Fite, Green, Hardwick, Jacobs, C. Johnson, J. Johnson, Mack, Mathis, Moore, Penix,

7 Scroggin, Seawel, Thyer, Weaver, White, Wood, *Medley*

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## For An Act To Be Entitled

11 THE CONTINUING ADEQUACY EVALUATION ACT OF 2004.

12

### Subtitle

14 THE CONTINUING ADEQUACY EVALUATION ACT

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OF 2004.

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

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20 SECTION 1. Arkansas Code Title 10, Chapter 3, is amended to add an

21 additional subchapter to read as follows:

22 10-3-2101. Purpose and findings.

23 (a) The General Assembly recognizes that it is the state's

24 responsibility to:

25 (1) Develop what constitutes an adequate education in Arkansas

26 pursuant to the mandate of the Arkansas Supreme Court and to conduct an

27 adequacy study, which has been completed; and

28 (2) Know how state revenues are being spent and whether true

29 equality in educational opportunity is being achieved.

30 (b) The General Assembly also recognizes no one (1) study can fully

31 define what is an adequate, efficient, and equitable education.

32 (c) The General Assembly further recognizes that, while the adequacy

33 study performed in 2003 is an integral component towards satisfying the

34 requirements imposed by the Arkansas Supreme Court, the General Assembly has

35 a continuing duty to assess what comprises an adequate education in Arkansas.

36 (d) Therefore, because the state has an absolute duty to provide the



1 school children of Arkansas with an adequate education, the General Assembly  
2 finds that ensuring that an adequate and equitable system of public education  
3 is available in the state shall be the ongoing priority for the state.

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5 10-3-2002. Duties.

6 (a) During each interim, the House Interim Committee on Education and  
7 the Senate Interim Committee on Education shall meet, separately or jointly,  
8 as needed, to:

9 (1) Assess, evaluate, and monitor the entire spectrum of public  
10 education across the state to determine whether equal educational opportunity  
11 for an adequate education is being substantially afforded to Arkansas' school  
12 children and recommend any necessary changes;

13 (2) Review and continue to evaluate what constitutes an adequate  
14 education in Arkansas and recommend any necessary changes;

15 (3) Review and continue to evaluate the state's method of  
16 providing equality of educational opportunity and recommend any necessary  
17 changes;

18 (4) To evaluate the effectiveness of any program implemented by  
19 a school, a school district, an education service cooperative, the Department  
20 of Education, or the State Board of Education and recommend necessary  
21 changes;

22 (5) Review the average teacher salary in the state in comparison  
23 to average teacher salaries in surrounding states and member states of the  
24 Southern Regional Education Board and make recommendations for any necessary  
25 changes to Arkansas teacher salaries established by law;

26 (6) Review and continue to evaluate the costs of an adequate  
27 education for all students in Arkansas, taking into account cost of living  
28 variances, diseconomies of scale, transportation variability, demographics,  
29 school districts with a disproportionate number of students who are  
30 economically disadvantaged or have educational disabilities, and other  
31 factors as deemed relevant, and recommend any necessary changes;

32 (7) Review and continue to evaluate the amount of per student  
33 expenditure necessary to provide an equal educational opportunity and the  
34 amount of state funds to be provided to school districts, based upon the cost  
35 of an adequate education and monitor the expenditures and distribution of  
36 state funds and recommend any necessary changes;

1           (8) Review and monitor the amount of funding provided by the  
2 state for an education system based on need and the amount necessary to  
3 provide an adequate educational system and not on the amount of funding  
4 available, and make recommendations for funding for each biennium.

5           (b) As a guidepost in conducting deliberations and reviews, the  
6 committees shall use the opinion of the Arkansas Supreme Court in the matter  
7 of Lake View School District No. 25 of Phillips County, Arkansas, et al., vs.  
8 Governor Mike Huckabee, et al. issued on November 21, 2002, and other legal  
9 precedent.

10           (c) The Department of Education, the Department of Workforce  
11 Education, and the Department of Higher Education shall provide the  
12 committees with assistance and information as requested by the committees.

13           (d) The Attorney General is requested to provide assistance to the  
14 committees as needed.

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16           10-3-2003. Investigations.

17           (a) The House Interim Committee on Education and the Senate Interim  
18 Committee on Education shall have authority to conduct investigations  
19 pertaining to the effectiveness of any and all education programs of any  
20 school, school district, education service cooperative, educational  
21 institution, the Department of Education, or its successors, the State Board  
22 of Education or any department under the state board's authority.

23           (b)(1) In connection with any investigation, the committees shall have  
24 the right and the power to subpoena witnesses and to issue subpoena duces  
25 tecum, pursuant to § 10-3-208.

26           (2) The chairs and the cochairs of each committee are authorized  
27 to administer oaths.

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29           10-3-2004. Report.

30           (a) The House Interim Committee on Education and Senate Interim  
31 Committee on Education shall file, separately or jointly, or both, reports of  
32 their findings and recommendations with the President Pro Tempore of the  
33 Senate and the Speaker of the House of Representatives no later than  
34 September 1 of each year prior to the convening of a regular session.

35           (b) The report shall include for each recommendation, proposed  
36 implementation schedules with timelines, specific steps, agencies and persons

1 responsible, resources needed, and drafts of bills proposing all necessary  
2 and recommended legislative changes.

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*/s/ Dickinson, et al*

**APPROVED: 1/27/2004**