

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

A Bill

SENATE BILL 264

5 By: Senator Irvin
6

For An Act To Be Entitled

8 AN ACT RENAMING THE CORRECTIONAL SCHOOL SYSTEM
9 OPERATED BY THE DIVISION OF CORRECTION THE "ARKANSAS
10 CORRECTIONAL SCHOOL DISTRICT"; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

14 RENAMING THE CORRECTIONAL SCHOOL SYSTEM
15 OPERATED BY THE DIVISION OF CORRECTION
16 THE "ARKANSAS CORRECTIONAL SCHOOL
17 DISTRICT".
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 6-16-149(c), concerning the requirement
24 that certain students take a United States citizenship civics test, is
25 amended to read as follows:

26 (c) The requirement under subsection (a) of this section shall not
27 apply to a student who:

28 (1) Is exempted in accordance with the student's individualized
29 education program;

30 (2) Attends school in the ~~Corrections School System~~ Arkansas
31 Correctional School District under § 12-29-301 et seq.; or

32 (3) Is over eighteen (18) years of age and seeking a high school
33 equivalency diploma.
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35 SECTION 2. Arkansas Code § 6-82-501(6), concerning the definition of
36 "state correction employee" used with regard to children of law enforcement



1 officers who are eligible for scholarships, is amended to read as follows:

2 (6) "State correction employee" means any employee of the
3 Division of Correction or the ~~Corrections School System~~ Arkansas Correctional
4 School District who becomes subject to injury through contact with inmates or
5 parolees of the Division of Correction;

6
7 SECTION 3. Arkansas Code § 12-27-104(d)(1)(B), concerning
8 reimbursements and stipends for a member of the Board of Corrections, is
9 amended to read as follows:

10 (B) However, a member shall receive a per diem stipend and
11 reimbursement for expenses for both official meetings and related activities
12 associated with attending to the business of the Board of Corrections, the
13 Division of Correction, the Division of Community Correction, and the
14 ~~Corrections School System~~ Arkansas Correctional School District for up to an
15 annual average of seven (7) days per month.

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17 SECTION 4. Arkansas Code § 12-28-101(a)(3), concerning facilities
18 operated by the Division of Correction, is amended to read as follows:

19 (3) The division may contract with state or private entities such as
20 accredited colleges or universities to provide additional educational
21 opportunities for inmates under the direction and authority of the board and
22 the ~~Corrections School System~~ Arkansas Correctional School District.

23
24 SECTION 5. Arkansas Code § 12-29-301 is amended to read as follows:
25 12-29-301. School ~~system~~ district created.

26 (a) Properties owned by the State of Arkansas and occupied by the
27 various units of the Division of Correction and the Division of Community
28 Correction are by this subchapter designated as a qualified school district
29 to be known as the "~~Corrections School System~~" "Arkansas Correctional School
30 District".

31 (b) The ~~system~~ district is created for the purpose of providing
32 elementary, secondary, and vocational and technical education to qualified
33 persons incarcerated in facilities of the Division of Correction and the
34 Division of Community Correction or to qualified persons supervised by the
35 Division of Community Correction, including those on probation and parole or
36 any type of post-prison release or transfer who are not high school

1 graduates, irrespective of age.

2 (c) The Board of Corrections shall act as the Board of Directors of
3 the ~~Corrections School System~~ Arkansas Correctional School District.

4 (d)(1) The ~~system's~~ district's chief administrative officer shall be
5 under the direct authority of the Board of Directors of the ~~Corrections~~
6 ~~School System~~ Arkansas Correctional School District.

7 (2) Subject to the approval of the Board of Directors of the
8 ~~Corrections School System~~ Arkansas Correctional School District, the chief
9 administrative officer or superintendent of the ~~system~~ district shall have
10 supervisory authority over the employees of the ~~system~~ district, including,
11 but not limited to, assistant superintendents, principals, and teachers.

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13 SECTION 6. Arkansas Code § 12-29-304 is amended to read as follows:

14 12-29-304. Costs and funding.

15 (a) The cost of implementing and operating the ~~Corrections School~~
16 ~~System~~ Arkansas Correctional School District shall be borne by the state and
17 shall be paid from funds appropriated by the General Assembly from the
18 general revenues of the state to the Division of Correction, the Division of
19 Community Correction, and the Division of Elementary and Secondary Education,
20 together with any federal funds that may be available for that purpose and
21 from any funds generated from the operations of the Division of Correction
22 and the Division of Community Correction, in the following manner:

23 (1) The cost of facilities, equipment, and current operation in
24 excess of the amount of grants and aids received from the Division of
25 Elementary and Secondary Education shall be borne by the Division of
26 Correction and the Division of Community Correction as approved by the Board
27 of Corrections; and

28 (2)(A) The ~~system~~ district, as other school districts in the
29 state, shall share in the distribution of grants and aids from the Division
30 of Elementary and Secondary Education.

31 (B) However, in no case shall the moneys from the Public
32 School Fund to the ~~system~~ district be in excess of the line item
33 appropriation provided to the ~~system~~ district in the fund.

34 (b)(1) Recognizing that the primary roles, duties, and
35 responsibilities of the Division of Correction and the Division of Community
36 Correction are to serve as penal and correctional institutions, the ~~system~~

1 district shall be exempt from and shall not be penalized in any manner for
 2 not complying with:

3 (A) All of the following:

4 (i) The Quality Education Act of 2003, § 6-15-201 et
 5 seq.;

6 (ii) ~~The Arkansas Comprehensive Testing, Assessment,~~
 7 ~~and Accountability Program Act, § 6-15-401 et seq.,~~ Arkansas Educational
 8 Support and Accountability Act, § 6-15-2901 et seq.;

9 (iii) Sections 6-15-901, 6-15-902, 6-15-2001 – 6-15-
 10 2008, 6-15-2101 – 6-15-2107, ~~6-15-2201,~~ 6-15-2301, and 6-16-1201 – 6-16-1206;

11 (iv) The Arkansas Fiscal Assessment and
 12 Accountability Program, § 6-20-1901 et seq.; and

13 (v) The Arkansas Educational Financial Accounting
 14 and Reporting Act of 2004, § 6-20-2201 et seq.;

15 (B) Any state laws or rules adopted to comply with the
 16 federal Elementary and Secondary Education Act as reauthorized under the No
 17 Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., as in existence on
 18 January 1, 2005; and

19 (C) Any rule of the State Board of Education related to
 20 the provisions listed in this subdivision (b)(1).

21 (2) The ~~system's~~ district's exemption from or noncompliance with
 22 the provisions under this subsection shall not affect the ~~system's, the~~
 23 ~~Division of Correction's, or the Division of Community Correction's~~
 24 eligibility of the district, the Division of Correction, and the Division of
 25 Community Correction to apply for or receive state grants or aids for public
 26 school districts as authorized in this subchapter and related rules.

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 28 SECTION 7. Arkansas Code § 12-29-310(b), concerning the administration
 29 of the Riverside Vocational and Technical School, is amended to read as
 30 follows:

31 (b) The school shall be administered under the direction and
 32 supervision of the chief administrative officer of the ~~Corrections School~~
 33 ~~System~~ Arkansas Correctional School District or the Director of the Riverside
 34 Vocational and Technical School under the direct authority of the Board of
 35 Directors of the ~~Corrections School System~~ Arkansas Correctional School
 36 District.

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2 SECTION 8. Arkansas Code § 21-5-701(10), concerning the definition of
3 "state correction employee" as used with regard to death benefits for public
4 officers or employees, is amended to read as follows:

5 (10) "State correction employee" means an employee of the
6 Division of Correction or the ~~Corrections School System~~ Arkansas Correctional
7 School District who is subject to injury through contact with inmates or
8 parolees of the Division of Correction;

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10 SECTION 9. Arkansas Code § 25-43-402(a), concerning state entities
11 transferred to the Department of Corrections, is amended to read as follows:

12 (a) The administrative functions of the following state entities are
13 transferred to the Department of Corrections by a cabinet-level department
14 transfer:

15 (1) The Arkansas Sentencing Commission, created under § 16-90-
16 802;

17 (2) The ~~Corrections School System~~ Arkansas Correctional School
18 District, created under § 12-29-301;

19 (3) The criminal detention facility review committees, ~~under §~~
20 ~~12-26-101~~ created under § 12-26-105;

21 (4) The Department of Community Correction, created under ~~§ 12-~~
22 ~~27-124~~ § 12-27-125, and now to be known as the "Division of Community
23 Correction";

24 (5) The Department of Correction, created under § 12-27-101, and
25 now to be known as the "Division of Correction";

26 (6) The Office of Criminal Detention Facilities Review
27 Coordinator, created under § 12-26-103;

28 (7) The Parole Board, created under § 16-93-201; and

29 (8) The Arkansas State Council for the Interstate Commission for
30 Adult Offender Supervision, created under § 12-51-104.

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33 **APPROVED: 3/25/21**
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