

Hall of the House of Representatives
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of Senate Bill No. 294

TO CREATE THE LEARNS ACT; TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE AS THEY RELATE TO EARLY CHILDHOOD THROUGH GRADE TWELVE (12) EDUCATION IN THE STATE OF ARKANSAS; TO DECLARE AN EMERGENCY; AND TO DECLARE AN EMERGENCY.

Amendment No. 1 to Senate Bill 294

Amend Senate Bill No. 294 as originally introduced:

Delete the subtitle in its entirety and substitute the following:

"TO CREATE THE LEARNS ACT; TO AMEND
VARIOUS PROVISIONS OF THE ARKANSAS CODE
AS THEY RELATE TO EARLY CHILDHOOD THROUGH
GRADE TWELVE EDUCATION IN THE STATE OF
ARKANSAS; AND TO DECLARE AN EMERGENCY."

AND

Page 3, delete line 26 through 36, and substitute the following:

~~(5)(A)~~ Employ staff, including:

~~(i)(a)(A)(i)~~ A superintendent and one (1) or more assistant superintendent of schools to oversee the day-to-day operations of the school district.

~~(b)(ii)~~ A superintendent shall be evaluated annually or no less often than before any extension of his or her employment contract.

~~(e)(iii)~~ Superintendents and assistant superintendents may be employed under contract terms and conditions that incorporate all elements prescribed by the State Board of Education; and

~~(ii)(a)(B)~~ School district employees under"

AND

Page 4, delete lines 1 and 2, and substitute the following:

"initial written employment contracts in the form prescribed by the State Board of Education, not including day-to-day substitutes."



AND

Page 6, line 13, delete "employee; and" and substitute "employee;"

AND

Page 6, delete line 15, and substitute the following:

"employees under applicable state and federal law; and

(E) Employee's right to:

(i) Notice of a recommendation for termination from the public school district superintendent; and

(ii) An opportunity for a hearing before the public school district board of directors concerning the employee's recommendation for termination; and"

AND

Page 8, line 6, delete "fire," and substitute "medical professionals, fire department"

AND

Page 8, line 10, delete "fire," and substitute "medical professionals, fire department"

AND

Page 11, line 28, delete "action;" and substitute "action, as defined in § 6-18-501 et seq.;"

AND

Page 12, line 1, delete "annually"

AND

Page 12, line 2, delete "assessment" and substitute "assessment every three (3) years"

AND

Page 12, line 8, delete "and"

AND

Page 12, delete line 11, and substitute the following:

"et seq.; and

(iii) Be conducted only in an executive session convened by a public school district board of directors or an open-enrollment public charter school's governing body;"

AND

Page 13, line 22, delete "~~literacy and~~" and substitute "literacy and"

AND

Page 14, line 3, delete "screeener results" and substitute "assessment results"

AND

Page 16, line 36, delete "rating" and substitute "school rating"

AND

Page 38, line 36, delete "the state board" and substitute "the public school district board of directors"

AND

Page 39, line 2, delete "A public school district board of directors" and substitute "The State Board of Education"

AND

Page 40, delete line 28, and substitute the following:
"section shall be null and void.

(d) The State Board of Education may promulgate rules to implement this section."

AND

Page 50, line 3, delete "(1) Notify" and substitute "(1)(A) Notify"

AND

Page 50, delete line 7, and substitute the following:
"2907(a)(2) and § 6-15-2006(a)(1)(C).

(B) The written notification in a parent-friendly manner required under subdivision (k)(1) of this section may be in the language of communication preferred by a parent, legal guardian, or person standing in loco parentis to a student;"

AND

Page 52, delete lines 34 through 36, and substitute the following:
"past three (3) years, assign the student to a teacher:

(i) With a highly-effective rating according to the Teacher Excellence and Support System, § 6-17-2801 et seq., where possible;
or

(ii) Deemed to be a high-performing teacher as defined by a Master Professional Educator designation;"

AND

Page 55, line 27, delete "et seq.;" and substitute "et seq., where possible;"

AND

Page 70, delete lines 23 through 26, and substitute the following:

"(ii) This subdivision (a)(2)(B) shall not be interpreted as:

(a) Denying personnel rights provided by other laws, including without limitation due process; or

(b) Prohibiting a school district board of directors from specifying in its policy the timelines and processes for providing notice and an opportunity for a hearing as provided under § 6-13-636(d);

(C) Not have a waiver of teacher salary requirements; and

(D) Adopt an employee salary schedule."

AND

Page 81, delete lines 29 and 30, and substitute the following:

"(A) Award the tax credits on a first-come, first-served basis"

AND

Page 85, delete lines 32 through 34, and substitute the following:

"(i) The Attorney General; or

(ii) The Secretary of the Department of Inspector General;"

AND

Page 86, delete line 19, and substitute the following:

"(c) The following shall be forwarded to Arkansas Legislative Audit:

(1) An audit conducted under subdivision (b)(2) of this section that identifies a potential misuse of account funds; and

(2) The referral of a case involving the misuse of account funds for investigation to the Attorney General or the Secretary of the Department of Inspector General under subdivision (b)(3)(B) of this section.

(d) To ensure that account funds under this subchapter provide for the"

AND

Page 86, delete lines 35 and 36, and substitute the following:

"during the 2022-2023 school year shall continue to receive the scholarship amount awarded to him or her under § 6-41-905."

AND

Page 87, delete lines 1 and 2, and substitute the following:

"(b)(1) For the 2023-2024 school year, on behalf of participating"

AND

Page 89, delete lines 21 and 22, and substitute the following:

"(A)(i) For the 2023-2024 school year, a student shall be eligible if the student is at least one (1) of the following:"

AND

Page 89, delete lines 30 and 31, and substitute the following:

"(d)(1) A student who is currently participating in the Succeed Scholarship Program, § 6-41-901 et seq.

(2) A student who is currently enrolled in the Succeed Scholarship Program, § 6-41-901 et seq., and elects to enroll in the Arkansas Children's Educational Freedom Account Program under this subchapter shall continue to receive the scholarship amount awarded to him or her under § 6-41-905;"

AND

Page 90, line 3, delete "; and" and substitute "; or"

AND

Page 90, line 16, delete "to include:" and substitute "to include students who meet at least one (1) of the following:"

AND

Page 95, delete line 21, and substitute the following:

"(b)(1) A public school district or open-enrollment public charter school located in the State of Arkansas"

AND

Page 95, delete line 28, and substitute the following:

"U.S.C. § 1232g, as it existed on January 1, 2023.

(2) The requirement under subdivision (b)(1) of this section that a public school district or open-enrollment public charter school in which a participating student was previously enrolled be located in the State of Arkansas does not apply to a student currently participating in the Succeed Scholarship Program, § 6-41-901 et seq."

AND

Page 126, line 24, delete "year;" and substitute "year; and"

AND

Page 126, delete lines 26 through 28, and substitute the following:
"receiving induction services in the current academic year."

The Amendment was read _____

By: Representative Brooks

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Chief Clerk