

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: _____

RECEIVED

MAY 15 2020

BUREAU OF
LEGISLATIVE RESEARCH

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).~~

1.021 The Rules are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, § 6-11-129, 6-13-619, 6-15-208, 6-15-209, 6-15-1402, 6-15-1704, 6-15-2006, 6-15-2101, 6-15-2202, 6-15-2914, § 6-17-201, § 6-17-207, § 6-17-807, § 6-17-812, § 6-17-2203, § 6-17-2301, § 6-17-2402, 6-18-702, 6-18-2005, 6-41-611, and § 6-17-2403-25-15-201 et seq.

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~~

~~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 her 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 1 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 DYSLEXIA 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, Cavanaugh, 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



1 reading instruction, many students will not receive the reading instruction
2 necessary to read at grade level;

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

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

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

15
16 SECTION 2. Arkansas Code § 6-15-2914(b), concerning the annual
17 submission of school-level improvement plans, is amended to read as follows:

18 (b)(1)(A) Beginning on May 1, 2018, and by May 1 annually thereafter,
19 a public school shall submit to its public school district a school-level
20 improvement plan for approval by the public school district and public school
21 district board of directors for implementation in the following school year.

22 (B)(i) A public school district and an open-enrollment
23 public charter school shall include a literacy plan in the annual school-
24 level improvement plan required under subdivision (b)(1)(A) of this section.

25 (ii) The literacy plan required under subdivision
26 (b)(1)(B)(i) of this section shall include without limitation a curriculum
27 program and a professional development program that are:

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

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

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

34
35 SECTION 3. Arkansas Code § 6-17-429(c), concerning the professional
36 development requirements under the Right to Read Act, is amended to read as

1 follows:

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

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

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

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

21 (A) Be placed in probationary status; and

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

24
25 SECTION 4. Arkansas Code § 6-17-429(e)-(g), concerning educator
26 preparation and professional development programs required under the Right to
27 Read Act, are amended to read as follows:

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

33 (f) By the beginning of the 2020-2021 school year, the department
34 shall identify and create an approved list of materials, resources, and
35 curriculum programs for public school districts and open-enrollment public
36 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

1 charter school placed in probationary status under subdivision ~~(f)(1)(A)~~
2 (i)(1)(A) of this section shall send written notification to the parents of
3 the students in the public school district of the reason for being placed in
4 probationary status.

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

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

11 (1) Enforce this section; and

12 (2) ~~The department shall promulgate~~ Promulgate rules to
13 implement this section.

14 (k) As used in this section:

15 (1) "Science of reading" means the study of the relationship
16 between cognitive science and educational outcomes; and

17 (2) "Structured literacy" means an approach by which licensed
18 personnel teach reading in an explicit, systematic, cumulative, and
19 diagnostic manner.

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22 **APPROVED: 2/11/19**
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State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 199

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;

SECTION 2. Arkansas Code § 6-18-707(c)(2)(B)(iii), concerning
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.~~

~~6-18-1003. Rules.~~

~~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-minute class sessions, 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;~~

1 ~~(E) A system of liaison and referrals, with resources~~
2 ~~available outside the school; and~~

3 ~~(F) Written policies that assure ethical procedures in~~
4 ~~psychological activities;~~

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

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

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

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

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

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

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

26 ~~(C) Programs designed to prevent bullying;~~

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

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

32 ~~(B)(i) Invasive medical procedures required by students~~
33 ~~and provided at the school shall be performed by trained, licensed personnel~~
34 ~~who are licensed to perform the task subject to § 17-87-102(10)(D) or other~~
35 ~~professional licensure statutes, unless permitted under § 17-87-103(10) and~~
36 ~~(11).~~

1 ~~(ii) The regular classroom teacher shall not perform~~
2 ~~these tasks, except that public school employees may volunteer to be trained~~
3 ~~and administer glucagon to a student with type 1 diabetes in an emergency~~
4 ~~situation permitted under § 17-87-103(11); and~~

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

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

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

16
17 ~~6-18-1006. Occupational and placement specialist.~~

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

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

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

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

33
34 ~~6-18-1007. School student services status report.~~

35 ~~(a) By January 1, 1994, and each year thereafter, the Department of~~
36 ~~Education shall compile and present to the Governor, the State Board of~~

1 ~~Education, the Senate Committee on Education, and the House Committee on~~
2 ~~Education a report outlining monitoring findings and the status of~~
3 ~~implementing each of the provisions of this subchapter by the various school~~
4 ~~districts, including which districts are in substantial compliance with the~~
5 ~~plan required under this subchapter.~~

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

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

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

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

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

25
26 ~~6-18-1008. Implementation.~~

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

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

35
36 ~~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

6-18-2001. Title.

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

6-18-2002. Definitions.

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

1 student's academic, career, and social and emotional needs.

2
3 6-18-2003. Comprehensive school counseling program and plan framework.

4 (a) Each public school district shall:

5 (1) Develop and implement a comprehensive school counseling
6 program that ensures student services are coordinated in a manner that
7 provides comprehensive support to all students; and

8 (2) Have a written plan for a comprehensive school counseling
9 program that:

10 (A) Is implemented by an Arkansas-certified school
11 counselor, a counselor serving under an additional licensure plan, or a
12 school employee acting as a school counselor under a waiver granted under §
13 6-15-103(c);

14 (B) Utilizes state and nationally recognized counselor
15 frameworks;

16 (C) Is reviewed annually and updated as needed by the
17 school counselor in collaboration with the building administrator and other
18 stakeholders;

19 (D) Is systemically aligned to kindergarten through grade
20 twelve (K-12) within the public school district; and

21 (E) Contains the following four (4) components of a
22 comprehensive school counseling program:

23 (i) Foundation, which includes without limitation:

24 (a) Vision statements;

25 (b) Mission statements; and

26 (c) Program goals;

27 (ii) Management, which utilizes assessments and
28 other data to develop, implement, and evaluate a comprehensive school
29 counseling program;

30 (iii) Delivery, which focuses on direct and indirect
31 services through the implementation of a comprehensive school counseling
32 program; and

33 (iv) Accountability, which ensures regular analysis
34 of the comprehensive school counseling program that is provided.

35 (b) The comprehensive school counseling program required under
36 subsection (a) of this section shall:

1 (1) Guide students in academic pursuits, career planning, and
2 social and emotional learning;

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

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

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

10 (A) Data analysis;

11 (B) Use-of-time data review;

12 (C) Program results data; and

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

15
16 6-18-2004. Comprehensive student services.

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

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

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

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

28 (B) Following-up with high school graduates;

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

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

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

36 (ii) Guiding a student along the pathways to

1 graduation;

2 (iii) Guiding a student in goal-setting experiences
3 and course selection aligned with the student's post-secondary goals;

4 (iv) Addressing accelerated learning opportunities;

5 (v) Addressing academic deficits and the
6 accessibility of resources;

7 (vi) Providing student assessment reviews, interest
8 inventories, or academic results needed to develop, review, and revise a
9 student's plan of study; and

10 (vii) Providing support for students who show
11 potential so they are more likely to engage in rigorous coursework and take
12 advantage of post-secondary opportunities;

13 (E) Providing a career planning process that includes
14 without limitation:

15 (i) Guidance in understanding the relationship
16 between classroom performance and success in school and beyond;

17 (ii) The provision of resources to identify career
18 interests and aptitudes to assist a student in age-appropriate college and
19 career planning;

20 (iii) Guidance in understanding the advantages of
21 completing career certifications and internships;

22 (iv) Interpretation of augmented, criterion-
23 referenced, or norm-referenced assessments for students and parents;

24 (v) The provision of information to a parent or
25 legal guardian, such as through workshops on preparing for college, financial
26 aid, and career opportunities; and

27 (vi) Encouragement to a parent or legal guardian to
28 support partnerships in his or her student's learning and career planning
29 processes;

30 (F) Providing social and emotional skills designed to
31 support students, including without limitation programs:

32 (i) To promote cultural and social awareness,
33 positive communication and relationship skills, collaboration with others,
34 and responsible decision making;

35 (ii) To improve culture and climate in the school so
36 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 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; 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.

6-18-2005. Monitoring and support.

(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

1 (3) Provide guidance and technical assistance to public school
2 districts in order to support equitable access to public school counseling
3 services.
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6 **APPROVED: 2/21/19**
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State of Arkansas

As Engrossed: H3/20/19

92nd General Assembly

A Bill

Regular Session, 2019

HOUSE BILL 1786

By: Representative Boyd

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



1 requirements for public and private school students creates the opportunity
2 for outbreaks of a number of preventable diseases, which poses a nationwide
3 health crisis; and

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

10
11 SECTION 2. Arkansas Code § 6-18-702(b), concerning the responsibility
12 of public schools to enforce provisions of the law with respect to required
13 immunizations of public school students, is amended to add an additional
14 subdivision to read as follows:

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

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

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

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

27 (i) Be updated by December 1 of each year;
28 (ii) Be posted and available to the public online;
29 (iii) Include the number of students within the
30 public or private school who have:
31 (a) Failed to provide to the public or private
32 school proof of the vaccinations required under this section; and
33 (b) Not obtained an exemption from the
34 Department of Health under this section; and

35 (iv) Include the percentage of students within the
36 public or private school who have:

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

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

5
6 /s/Boyd
7

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9 **APPROVED: 4/3/19**
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1 State of Arkansas

As Engrossed: H3/11/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

HOUSE BILL 1573

4
5 By: Representative Cozart

6 By: Senator J. English
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND AND UPDATE VARIOUS PROVISIONS OF THE
10 ARKANSAS CODE CONCERNING PUBLIC EDUCATION; AND FOR
11 OTHER PURPOSES.
12
13

Subtitle

14
15 TO AMEND AND UPDATE VARIOUS PROVISIONS OF
16 THE ARKANSAS CODE CONCERNING PUBLIC
17 EDUCATION.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

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,~~
29 ~~1998, the information technology network linking local school districts and~~
30 ~~the department.~~
31

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~~

1 ~~state will be conducted in a more uniform manner, the State Board of~~
2 ~~Education is authorized and directed to prepare and distribute annually upon~~
3 ~~the request of the county board of election commissioners of each county~~
4 ~~annual school election kits or packages designed especially for conducting~~
5 ~~annual school elections in the manner required by law.~~

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

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

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

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

23
24 SECTION 8. Arkansas Code § 6-15-202(f)(15), concerning development of
25 regulations and standards for accreditation, is repealed.

26 ~~(15) Section 6-15-2009 [repealed] concerning remedial~~
27 ~~instruction;~~

28
29 SECTION 9. Arkansas Code § 6-15-202(f)(22) and (23), concerning
30 development of regulations and standards for accreditation regarding health
31 education and oral health standards, are repealed.

32 ~~(22) Section 6-16-1002 [repealed] concerning health education;~~
33 ~~(23) Section 6-16-1003 [repealed] concerning oral health~~
34 ~~standards;~~

35
36 SECTION 10. Arkansas Code § 6-15-202(f)(31), concerning development of

1 regulations and standards for accreditation regarding the qualifications for
2 valedictorian and salutatorian, is amended to read as follows:

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

5
6 SECTION 11. Arkansas Code § 6-15-202(f)(35), concerning development of
7 regulations and standards for accreditation regarding attendance, is
8 repealed.

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

11
12 SECTION 12. Arkansas Code § 6-15-1005(f)(1), concerning safe,
13 equitable, and accountable public schools, is amended to read as follows:

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

16
17 SECTION 13. Arkansas Code § 6-15-1402(a), concerning the rules
18 regarding school performance reports, is amended to read as follows:

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

30 (2)(A) The school performance report for each school shall be
31 made available to every parent or guardian of a child in kindergarten through
32 grade twelve (K-12) in the public schools of Arkansas by posting the school
33 performance report for each school on the website of the department by April
34 15 each year ~~and the website of the school district in which the public~~
35 ~~schools addressed in the school performance report are located no later than~~
36 ~~April 15 each year.~~

1 (B) Each school district shall post the school performance
2 report for each of its schools on the district's website not later than ten
3 (10) days after it is posted on the department's website.
4

5 SECTION 14. Arkansas Code § 6-15-1402(b)(2), concerning a school
6 performance report for elementary schools, is amended to read as follows:

7 (2) The school performance report for elementary schools shall:

8 (A) Include three-year trend data and allow parents or
9 guardians to compare the school's performance with state and national
10 averages in areas and shall include, ~~but not be limited to,~~ without
11 limitation the following measures:

12 (i) School safety;
13 (ii) Statewide student assessment results beginning
14 with grade three (3);
15 (iii) Licensed staff qualifications;
16 (iv) Total per-pupil spending;
17 (v) Assessment of the local taxpayer investment in
18 the school district;
19 (vi) Percentage of students eligible to receive free
20 or reduced-price meals;

21 (vii) Average salary of the staff; and
22 (viii) Average attendance rates for students; and

23 (B) Indicate separately whether:

24 (i) The school distributed the school's student
25 discipline policy to parents;
26 (ii) The school's teachers, administrators,
27 classified school employees, and volunteers have been provided with
28 appropriate student discipline training; and
29 (iii) The school district has adopted a parental
30 involvement plan in compliance with § 6-15-1702.

31
32 SECTION 15. Arkansas Code § 6-15-1704(a), concerning the annual review
33 of parental involvement plans, is amended to read as follows:

34 (a) Annually by ~~October~~ August 1, every school district shall review
35 and update the school district's parental involvement plan and:

36 (1) File a copy of the plan with the Department of Education;

1 (2) Place a copy of the plan on the school district's website;
2 and

3 (3)(A) Place a parent-friendly summary of the plan as a
4 supplement to the student handbook.

5 (B) The parent shall sign a form acknowledging receipt of
6 the summary and return the signed form to the school where the student is
7 enrolled.
8

9 SECTION 16. Arkansas Code § 6-15-2006(b)(1), concerning annual school
10 performance reports, is amended to read as follows:

11 (b)(1) A school district board of directors shall publish annually the
12 school performance report required by § 6-15-2101 on its website not later
13 than ten (10) days after it is posted on the department's website, with the
14 option of also publishing it in the local newspaper, ~~by October 15 of each~~
15 ~~year, and the following information on the prior school year or the latest~~
16 ~~information available.~~

17 ~~(A) By grade level, economic status, and ethnicity, the~~
18 ~~number and percentage of all students in kindergarten through grade twelve~~
19 ~~(K-12) performing at each category level on the statewide student assessment,~~
20 ~~the percentile rankings by school and grade level on any other assessments as~~
21 ~~required by the State Board of Education, the number of students taking~~
22 ~~advanced placement courses or courses offered under the International~~
23 ~~Baccalaureate Diploma Programme, the number taking the advanced placement~~
24 ~~exams, and the percent of students making a 3, 4, or 5 on advanced placement~~
25 ~~exams.~~

26 ~~(B) By grade level, the number and percentage of all~~
27 ~~students retained in grades one through eight (1-8);~~

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

30 ~~(D) The number of students transferring pursuant to the~~
31 ~~unsafe school provision of § 6-18-320; and~~

32 ~~(E) The number of students transferring pursuant to the~~
33 ~~Arkansas Opportunity Public School Choice Act of 2004, § 6-18-227.~~
34

35 SECTION 17. Arkansas Code § 6-15-2202(b)(2), concerning access to
36 public school information on school improvement plans for school districts

1 classified as in need of Level 5 – Intensive support, is amended to read as
2 follows:

3 (2) A parent-friendly explanation of+

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

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

8 ~~(C) Why why the public school district is receiving Level~~
9 ~~5 – Intensive support, a school is identified as in need of targeted or~~
10 ~~comprehensive support, or the public school district is in fiscal distress~~
11 ~~and what the public school district is doing to be removed from Level 5 –~~
12 ~~Intensive support, to remove the school or schools within the public school~~
13 ~~district from being identified as in need of targeted or comprehensive~~
14 ~~support, or to be removed from fiscal distress;~~
15

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

20 (1) Directly monitors a school for compliance with standards ~~and~~
21 for accreditation; or
22

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

26 ~~(b) As a part of the school improvement plan pursuant to § 6-15-2201~~
27 ~~{repealed}, the State Board of Education shall ensure that each school~~
28 ~~district and high school develops strategies to improve student readiness for~~
29 ~~the public postsecondary level based on annual analysis of the feedback~~
30 ~~report data.~~
31

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

34 (a) ~~Effective July 1, 2004, any~~ A public school, an education service
35 cooperative, or an institution of higher education is authorized to enter
36 into one (1) or more interlocal agreements through which they collaborate to

1 improve public school performance and academic achievement.

2
3 SECTION 21. Arkansas Code § 6-15-2502(c)(1), concerning the
4 establishment of educational renewal zones to improve school performance and
5 achievement, is amended to read as follows:

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

10
11 SECTION 22. Arkansas Code § 6-15-2502(d)(3)(B)(ii), concerning the
12 establishment of educational renewal zones, is amended to read as follows:

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

21
22 SECTION 23. Arkansas Code § 6-15-2502(d)(3)(C)(i) and (ii), concerning
23 the establishment of educational renewal zones for schools identified as at
24 risk or classified as in need of Level 5 – Intensive support, are amended to
25 read as follows:

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

32 (ii) The school lies within a school district
33 ~~designated by the department~~ classified by the State Board of Education as in
34 ~~academic distress or financial distress~~ need of Level 5 – Intensive support
35 under the ~~Arkansas Comprehensive Testing, Assessment, and Accountability~~
36 Program Arkansas Educational Support and Accountability Act, § 6-15-2901 et

1 seq.;

2
3 SECTION 24. Arkansas Code § 6-15-2503(a), concerning inclusion of
4 schools within designated educational renewal zones, is amended to read as
5 follows:

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

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

18
19 SECTION 25. Arkansas Code § 6-15-2504(a) and (b), concerning school
20 improvement plans, are amended to read as follows:

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

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

25 (1) Goals for improving student achievement;
26 (2) Measurable benchmarks for achieving student improvement
27 goals;

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

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

32
33 SECTION 26. Arkansas Code § 6-15-2605(e)(1) and (2), concerning the
34 application forms and procedures for the Rewarding Excellence in Achievement
35 Program, are amended to read as follows:

36 (e)(1) In order to participate in the Rewarding Excellence in

1 Achievement Program, a public school district or public charter school ~~must~~
2 ~~shall have an approved comprehensive school improvement plan, as defined in §~~
3 ~~6-15-419(9) [repealed]~~ a district support plan that outlines the role of the
4 district in supporting the Rewarding Excellence in Achievement Program.

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

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

11 (B) Performance goals and benchmarks for improvement;

12 (C) Measures of student attendance and completion rates;

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

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

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

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

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

26
27 SECTION 27. Arkansas Code § 6-15-2606(c)(1)(A), concerning the
28 contents of a Rewarding Excellence in Achievement plan regarding achievement
29 gains of students in a teacher's class, is amended to read as follows:

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

33
34 SECTION 28. Arkansas Code § 6-15-2606(c)(2)(A), concerning the
35 contents of a Rewarding Excellence in Achievement plan regarding achievement
36 gains of students on a school-wide basis, is amended to read as follows:

1 (2)(A) Achievement gains of students on a school-wide basis
2 under the statewide student assessment program system described in § 6-15-433
3 ~~{repealed}~~ 6-15-2907.
4

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

8 (A) An individual objective teacher evaluation conducted
9 by the school principal that is aligned with the ~~comprehensive-school~~
10 ~~improvement plan and~~ professional development plan described in § 6-15-2607;
11 and
12

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

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

20 (A) Using an Arkansas Scholastic Audit;

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

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

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

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

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

34 (G) Designing a plan for increasing parental knowledge and
35 skill to support academic objectives; and
36

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

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

5
6 SECTION 32. Arkansas Code § 6-17-119(b)(7), concerning alternative pay
7 programs included in a school district's comprehensive school improvement
8 plan, is amended to read as follows:

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

11
12 SECTION 33. Arkansas Code § 6-17-209(g), concerning interim personnel
13 policy committees, is amended to read as follows:

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

21
22 SECTION 34. Arkansas Code § 6-17-402(j)(1), concerning core licensure
23 areas under the State Board of Education rules, is amended to read as
24 follows:

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

26
27 SECTION 35. Arkansas Code § 6-18-701 is amended to read as follows:

28 6-18-701. Physical examinations – Individualized healthcare plans.

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

36 (b) The nature of the examination shall be only ~~such as~~ to detect

1 contagious or infectious diseases or any defect of sight, hearing, or
2 function or condition of health ~~tending to prevent any~~ that may prevent a
3 pupil from receiving the full benefit of school work.

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

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

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

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

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

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

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

1 otherwise permissible under § 17-87-103(10) and (11).

2 (3) A regular classroom teacher shall not perform tasks under
3 subdivision (f)(2) of this section, except as otherwise permissible under §
4 6-18-711(c).

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

8
9 SECTION 36. Arkansas Code § 6-18-709(g), concerning the report to the
10 Department of Education of certain information regarding school nurses, is
11 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

36 (C) Level 3 for students with medically complex conditions

1 at a ratio of one (1) school nurse per two hundred twenty-five (225)
2 students;

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

6 (E) Level 5 for students that are nursing dependent at a
7 ratio of one (1) school nurse per one (1) student.
8

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

12 (c) A public school employee may volunteer to be trained to administer
13 and may administer glucagon to a student with Type 1 diabetes in an emergency
14 situation as permitted under § 17-87-103(11).
15

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

19 (b) The commission and the Department of Education shall report their
20 findings and updates to the Governor, the Legislative Council, and the House
21 Committee on Public Health, Welfare, and Labor and Senate Committee on Public
22 Health, Welfare, and Labor ~~two (2) times per year~~ annually.
23

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

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

32 ~~(B)~~ (2) The commission may use any of its resources to
33 further the commission's purposes and functions.

34 ~~(2)(A) There is created on the books of the Treasurer of State,~~
35 ~~Auditor of State, and Chief Fiscal Officer of the State a special revenue~~
36 ~~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 revenues 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)(1)~~ 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.

~~(2)~~ Moneys received by the commission shall be used solely for the support of the functions of the commission.

~~(b)(1)~~ 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.

~~(2)~~ Any moneys received from grantors and donors that are not expended by the commission shall be returned to the grantors 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:

6-19-106. Bus drivers - Qualifications.

~~(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,

1 ~~who has a general reputation of being a fast and reckless operator of motor~~
2 ~~vehicles without regard to the rights of others, or who is less than nineteen~~
3 (19) years of age on June 30 following his or her last birthday shall not be
4 permitted or employed to ~~aet as chauffeur or operator of~~ operate any school
5 bus, either privately or publicly owned, operated by public school districts
6 and used to transport pupils to and from the public schools in the State of
7 Arkansas.

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

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

12
13 SECTION 42. Arkansas Code § 6-20-106 is repealed.

14 ~~6-20-106. Amendment 74 rules and regulations.~~

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

21
22 SECTION 43. Arkansas Code § 6-20-210 is repealed.

23 ~~6-20-210. Pulaski County desegregation.~~

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

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

1
2 SECTION 44. Arkansas Code § 6-20-212 is repealed.

3 ~~6-20-212. Desegregation expenses.~~

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

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

15
16 SECTION 45. Arkansas Code § 6-20-2203(c)(3)-(8), concerning uniform
17 budget and accounting system regarding specific categories of public school
18 and public school district expenditures, are amended to read as follows:

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

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

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

36 (4)~~(A)~~ Categories and descriptions of public school and school

1 district expenditures that allow for the tracking of expenditures from the
2 following sources of revenue:

3 *~~{i}~~*(A) Student growth;
4 *~~{ii}~~*(B) Declining enrollment;
5 *~~{iii}~~*(C) Special education ~~catastrophic~~ high-cost
6 occurrences;

7 *~~{iv}~~*(D) Special education services;
8 *~~{v}~~*(E) Technology grants;
9 *~~{vi}~~*(F) Debt service funding supplement;
10 *~~{vii}~~*(G) General facilities funding;
11 *~~{viii}~~*(H) Distance learning;
12 *~~{ix}~~*(I) Gifted and talented; and
13 *~~{x}~~*(J) Court-ordered desegregation funding-

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

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

21 *~~{i}~~*(A) Number of students transported; and
22 *~~{ii}~~*(B) Daily route mileage-

23 ~~(B) The department shall implement this subdivision (c)(5)~~
24 ~~beginning with the 2007-2008 school year;~~

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

27 ~~(B) The department shall implement this subdivision (c)(6)~~
28 ~~beginning with the 2007-2008 school year;~~

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

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

35 ~~(B) The department shall implement this subdivision (c)(8)~~
36 ~~beginning with the 2007-2008 school year.~~

1
2 *SECTION 46.* Arkansas Code § 6-20-2206(c)(5)(A), concerning
3 miscellaneous provisions under the Arkansas Educational Financial Accounting
4 and Reporting Act of 2004, is amended to read as follows:

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

7
8 *SECTION 47.* Arkansas Code § 6-20-2207(a)(3), concerning rulemaking
9 authority under the Arkansas Educational Financial Accounting and Reporting
10 Act of 2004, is amended to read as follows:

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

16
17 *SECTION 48.* Arkansas Code § 6-20-2303(21), concerning public school
18 funding definitions, is amended to read as follows:

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

26
27 *SECTION 49.* Arkansas Code § 6-20-2305(b)(4)(C)(iii), concerning use of
28 a school district's national school lunch state categorical funds, is amended
29 to read as follows:

30 (iii) The school district shall include with its
31 comprehensive ~~school~~ school-level improvement plan a written detailed
32 statement concerning how the school district will use its excess national
33 school lunch categorical funds each school year and explaining in detail the
34 amount of funds and percent of total funds to be used to supplement all
35 classroom teacher salaries as allowed in subdivision (b)(4)(C)(ii) of this
36 section.

1
2 SECTION 50. Arkansas Code § 6-20-2305(c), concerning public school
3 funding, is amended to read as follows:

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

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

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

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

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

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

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

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

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

30 (C) If net revenues minus any recoupment under subdivision
31 (a)(4)(B) of this section plus miscellaneous funds calculated under § 6-20-
32 2308(b)(1)(A) exceed the foundation funding amount, a school district shall
33 be eligible to receive the amount of calculated student growth funding that
34 exceeds net revenues minus any recoupment under subdivision (a)(4)(B) of this
35 section plus miscellaneous funds calculated under § 6-20-2308(b)(1)(A).
36

1 *SECTION 51.* Arkansas Code § 6-21-112(f)(14), concerning the records of
2 the Division of Public School Academic Facilities and Transportation, is
3 amended to read as follows:

4 (14) Keep records showing ~~a description of each school~~
5 ~~district in the state, a map showing the school districts with current and~~
6 ~~accurate boundaries,~~ the location of the academic facilities in the state by
7 school district, and the electoral zones, if any, into which each school
8 ~~district has been divided;~~

9
10 *SECTION 52.* Arkansas Code § 6-21-403(c), concerning requirements under
11 the Free Textbook Act of 1975, is amended to read as follows:

12 (c) ~~Any materials~~ Materials purchased with state funds shall be
13 consistent with the ~~curriculum~~ Arkansas Academic Content Standards and
14 educational goals established by the State Board of Education.

15
16 *SECTION 53.* Arkansas Code § 6-21-403(d)(2), concerning requirements
17 under the Free Textbook Act of 1975, is amended to read as follows:

18 (2) The state board, through the department, may promulgate
19 rules as may be necessary to carry out this subchapter ~~and shall report to~~
20 ~~the members of the House Committee on Education and Senate Committee on~~
21 ~~Education annually any school district out of compliance by November 1 of~~
22 ~~each year.~~

23
24 *SECTION 54.* Arkansas Code § 6-23-105(e)(1)(A), concerning the basis
25 and procedure for public charter school probation or charter modification,
26 revocation, or denial of removal, is amended to read as follows:

27 (e)(1)(A) Immediately upon the revocation of ~~a~~ an open-enrollment
28 charter by the authorizer, the public charter school shall:

29 (i) Transfer to the department all state funds held
30 by the public charter school, which the department shall hold in
31 receivership; and

32 (ii) Provide to the department a detailed accounting
33 of all accounts payable due from the state funds and any additional
34 information or records requested by the department concerning the
35 disbursement of the state funds.

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/8/17
A Bill

HOUSE BILL 1648

By: Representative C. Douglas

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~~ a 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.



1 SECTION 2. Arkansas Code § 6-15-206(d), concerning onsite standards
2 for accreditation reviews, is amended to read as follows:

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

8 (2) The review under subdivision (d)(1) of this section may be
9 conducted onsite at the public school or public school district.
10

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

14 (b)(1) ~~A school district board of directors shall publish annually in~~
15 ~~the local newspaper~~ on its website the school performance report required by
16 § 6-15-1402 ~~and report in writing to the State Board of Education~~ by October
17 15 of each year the following information on the prior school year or the
18 latest information available:

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

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

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

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

33 (5)(E) The number of students transferring pursuant to the
34 Arkansas Opportunity Public School Choice Act of 2004, § 6-18-227.

35 (2) The school performance report shall be easily identifiable
36 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

State of Arkansas *As Engrossed: S3/16/17 S3/27/17*

91st General Assembly

Regular Session, 2017

A Bill

SENATE BILL 708

By: Senator Elliott

By: Representative Branscum

For An Act To Be Entitled

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

Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING DYSLLEXIA 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:

6-41-611. Enforcement – Rules.

(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