

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

## A Bill

HOUSE BILL 1352

5 By: Representatives Baker, Molinaro, Luker, Critcher, Bush, and Bisbee  
6 By: Senators Harriman, Everett, and Smith  
7

### For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-20-1607 TO  
10 PROHIBIT SCHOOL DISTRICTS CLASSIFIED AS BEING IN PHASE I  
11 OR II OF ACADEMIC OR FISCAL DISTRESS FROM INCURRING  
12 ADDITIONAL DEBT WITHOUT APPROVAL OF THE DEPARTMENT OF  
13 EDUCATION; AND FOR OTHER PURPOSES."  
14

### Subtitle

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16 "TO PROHIBIT SCHOOL DISTRICTS CLASSIFIED  
17 AS BEING IN PHASE I OR II OF ACADEMIC OR  
18 FISCAL DISTRESS FROM INCURRING  
19 ADDITIONAL DEBT WITHOUT APPROVAL OF THE  
20 DEPT. OF EDUCATION."  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code annotated § 6-20-1607 is amended to read as  
25 follows:

26 "6-20-1607. Classification of school districts in distress.

27 (a)(1) During the 1997-98 school year, and each school year thereafter,  
28 the department shall determine which school districts shall be classified as  
29 Phase I districts or Phase II districts.

30 (2) A school district may be classified a Phase I district for  
31 more than one (1) year.

32 (3) No Phase I or Phase II district shall incur additional debt  
33 without the approval of the Department of Education.

34 (b) During the 1997-98 school year, and each school year thereafter,  
35 only those districts classified as Phase II districts by the Director of the  
36 General Education Division of the Department of Education shall be required to

1 receive on-site technical assistance by a team of educators assigned by the  
2 department to work directly with the districts.

3 (c) During the first six (6) months of the school year in which a  
4 district is classified as a Phase II district, the department team shall  
5 evaluate and make recommendations to the district superintendent regarding the  
6 staffing of the district and concerning fiscal or academic policies or  
7 practices of the district, if necessary to address the fiscal or academic  
8 distress of the district as defined by the department.

9 (d) The recommendations of the department shall be binding on the  
10 district, the superintendent, and the school board; provided, however, that it  
11 shall be the duty of the district to follow all Arkansas laws.

12 (e) A district classified as a Phase II school district that fails to  
13 follow recommendations of the department shall be immediately classified as a  
14 Phase III school district.

15 (f) At the conclusion of the 1997-98 school year, and each year  
16 thereafter, the department shall report the progress of all districts  
17 classified as Phase II school districts to the State Board of Education."

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19 SECTION 2. All provisions of this act of a general and permanent nature  
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 3. If any provision of this act or the application thereof to  
24 any person or circumstance is held invalid, such invalidity shall not affect  
25 other provisions or applications of the act which can be given effect without  
26 the invalid provision or application, and to this end the provisions of this  
27 act are declared to be severable.

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29 SECTION 4. All laws and parts of laws in conflict with this act are  
30 hereby repealed.

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