

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/26/03

A Bill

HOUSE BILL 2400

5 By: Representatives Key, Martin, Matayo, *Bright, Clemons, Cowling, Mack, Pace, S. Prater, Walters,*
6 *Wood*
7
8

For An Act To Be Entitled

10 THE COMPREHENSIVE EDUCATIONAL EXCELLENCE REFORM
11 ACT OF 2003; AND FOR OTHER PURPOSES.
12

Subtitle

14 THE COMPREHENSIVE EDUCATIONAL EXCELLENCE
15 REFORM ACT OF 2003.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code Title 6, Chapter 13, is amended to add an
21 additional subchapter to read as follows:

22 6-13-1601. Title.

23 This subchapter shall be known as and may be cited as the "2003
24 Comprehensive Education Reform Act".
25

26 6-13-1602. Findings.

27 (a) The people of the State of Arkansas have long held that providing a
28 general, suitable, and efficient system of public education is of paramount
29 importance.

30 (b) The Eighty-fourth General Assembly recognizes the mandate of the
31 Arkansas Supreme Court to ensure that the state provide an equal opportunity
32 for students to obtain an adequate education, regardless of the city or
33 region in where the student resides.

34 (c) The General Assembly further recognizes its responsibility to
35 maintain standards which shall result in an opportunity for an adequate and
36 equal education, not based on numerical goals or random economic formulas



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1 alone.

2
3 6-13-1603. Standards for education.

4 (a)(1) There shall be no school district reorganization based solely
5 on the number of students attending the school.

6 (2) The current system of local school governance with local
7 control vesting in the local school board of directors and the employment of
8 school district superintendents and other administrators with the authority
9 of the local school board of directors, shall remain as in existence.

10 (3)(A) The standards set forth in this subchapter shall be
11 effective on January 1, 2004.

12 (4)(A) On or before July 1, 2004, each school district, except
13 those in a state of academic distress as of January 1, 2004, shall perform a
14 needs assessment and develop a plan to comply with the standards enumerated
15 in this subchapter, and submit this plan to the Department of Education.

16 (B) This plan may utilize measures that include, but are
17 not limited to:

18 (i) Voluntary consolidation, annexation, or
19 detachment;

20 (ii) Partnerships with other districts or post-
21 secondary educational institutions of higher education to provide distance
22 learning programs; or

23 (iii) Partnerships with other districts for employee
24 and class sharing programs.

25 (C) This plan shall be implemented at the beginning of the
26 2004-2005 school year.

27 (5)(A) Schools in a state of academic distress as of January 1,
28 2004 shall be reorganized by the State Board of Education.

29 (B) The state board shall have complete authority to
30 reorganize the school district in any manner that it feels is necessary.

31 (C) This can include consolidating, annexing, merging, or
32 detaching part of the school district with one (1) or more school districts
33 or the dissolution of the school district into multiple school districts.

34 (D) This reorganization shall be effective at the
35 beginning of the 2004-2005 school year.

36 (b)(1) After July 1, 2004, the State Board of Education shall begin

1 conducting annual reviews of all schools and school districts to determine if
2 each school, and the district as a whole, is in compliance with, and
3 continues to be in compliance with, the standards of this subchapter with
4 respect to:

5 (A) Curricula;

6 (B) Teacher salaries;

7 (C) Facilities;

8 (D) Equipment;

9 (E) Operation; and

10 (F) Performance.

11 (2) Prior to the annual reviews conducted under subdivision
12 (b)(1) of this section, any school district may petition the State Board of
13 Education for an advisory opinion and advice with respect to the district's
14 or an individual's school compliance with any specific provision of this
15 subchapter, state law, or State Board of Education regulations.

16 (c) Following each annual review under subsection (b) of this section,
17 any school district that is not meeting the standards, shall be remediated,
18 reprimanded, consolidated, annexed, or detached.

19 (d)(1) School districts may voluntarily consolidate, annex, or detach
20 under §§ 6-13-1401 through 6-13-1501, and school districts that do
21 voluntarily consolidate, annex, or detach shall receive consolidation
22 incentive funding as may be determined by the General Assembly.

23 (2) School districts may enter into agreements with other
24 districts or post-secondary educational institutions to provide distance
25 learning programs, alternative learning schools, services for children with
26 disabilities, employee and class sharing programs to offer enhanced or
27 curriculum requirements, or any other program or service as may be necessary
28 to provide an adequate education.

29 (3)(A) During the regular school term or during summer months, a
30 school district may enter into an agreement with other districts or post-
31 secondary educational institutions to offer career and technical education
32 courses or may enter into agreement with technical institutes or other post-
33 secondary educational institutions to provide career and technical education
34 courses.

35 (B)(i) Any courses made available to students in a school
36 district through an agreement allowed under subdivision (d)(3)(A) of this

1 section shall qualify as being offered and taught by the school district for
2 purposes of complying with the Standards of Accreditation for Arkansas Public
3 Schools.

4 (ii) Any student taking classes in a school district
5 offered through an agreement allowed under subdivision (d)(3)(A) of this
6 section, shall receive credit for the course for graduation purposes under
7 the Standards of Accreditation for Arkansas Public Schools and the local
8 school board shall adopt a policy to determine the numeric grade to be
9 awarded for the grade received in the course.

10
11 6-13-1604. Efficiency.

12 (a) Before the annual school election each year, the local school
13 board of directors shall submit an annual budget for the school district and
14 an annual education plan to the State Board of Education for approval each
15 year.

16 (b)(1) The budget shall be divided into administrative expense,
17 instructional expenses, and extra-curricular expenses as defined by the State
18 Board of Education regulations.

19 (2) The per pupil expenses shall not exceed a maximum level
20 defined by the General Assembly to be necessary to provide the opportunity
21 for an adequate education as determined by the adequacy study.

22 (c)(1) The State Board of Education may approve or disapprove, in its
23 entirety, or in part, the annual budget for the school district or an annual
24 education plan.

25 (2) An annual budget for the school district or an annual
26 education plan, or any portion thereof, that is disapproved by the State
27 Board of Education shall be revised and resubmitted to the State Board of
28 Education within ten (10) business days after the notice of disapproval.

29 (d) No school district may operate under an annual budget or an annual
30 education plan, unless it is approved by the State Board of Education.

31
32 16-13-1605. Uniform Accounting.

33 (a) The Department of Education shall develop a uniform accounting
34 system which shall be utilized in all school districts.

35 (b) The computer software required for the uniform accounting system
36 may be purchased with any combination of state and private funds.

1
2 16-13-1606. Schools falling below standards.

3 (a) The Department of Education shall review pertinent information
4 from every school district annually to ensure that the district and schools
5 are in compliance with current standards for accreditation and report their
6 findings to the State Board of Education.

7 (b) The State Board of Education shall take immediate action
8 concerning any school district that fails to meet curriculum, accreditation,
9 efficiency, or facilities standards or teacher salary requirements in any
10 given year.

11 (c) The State Board of Education shall have complete authority to
12 impose action against the school district in any manner that it deems
13 necessary. This can include:

14 (1) Removal of the superintendent; or

15 (2) Assignment of a task force to evaluate the deficiencies of
16 the district and assist the district in enacting corrections measures.

17 (A) The task force shall work under the authority of
18 director.

19 (B) The task force shall include representatives from the
20 Department of Education, teachers, administrators from other districts, and
21 other stakeholders such as community leaders and business interests.

22 (3) Consolidating, annexing, merging, or detaching part of the
23 school district with one (1) or more school districts or the dissolution of
24 the school district into multiple school districts.

25
26 6-13-1607. Consolidation requirements.

27 (a) For consolidations and annexations required as a result of § 6-13-
28 1603, the State Board of Education shall:

29 (1) Develop a plan for the reorganization of all public school
30 districts not in compliance with this subchapter;

31 (2) Hold no less than two (2) public hearings regarding its
32 proposed reorganization plan to address citizen concerns, comments, and
33 suggestions regarding the plan; and

34 (3)(A) Finalize the reorganization plan and effectuate the
35 reorganization on July 1 of the year in which the plan is finalized.

36 (b) The Department of Education and the State Board of Education may

1 take actions before effectuating the plan, as necessary for an orderly and
2 efficient transition of personnel, property, and the boards of directors.

3
4 SECTION 2. Arkansas Code Title 6, Chapter 13, Subchapter 14 is amended
5 to read as follows:

6 6-13-1401. Definitions.

7 As used in this subchapter, unless the context otherwise requires:

8 (1) "Affected district" means a school district that loses territory
9 or students as a result of annexation or consolidation;

10 (2) "Annexation" means the joining of an affected school district or
11 part thereof with a receiving district;

12 (3) "Consolidation" means the joining of two (2) or more school
13 districts or parts thereof to create a new single school district;

14 (4) "Receiving district" means a school district or districts that
15 receive territory or students, or both, from an affected district as a result
16 of annexation;

17 (5) "Resulting district" means the new school district created from an
18 affected district or districts as a result of consolidation; ~~and~~

19 (6) "State board" means the State Board of Education; ~~and~~

20 (7) "Voluntary consolidation" means a consolidation that is caused by
21 a petition of the affected district and is not upon the action of the State
22 Board of Education required under § 6-13-1603.

23
24 6-13-1402. Consolidation and annexation authority.

25 ~~There~~ Except as required by § 6-13-1603, there shall not be any
26 consolidation or annexation of any public school district with any other
27 school district in the state without the prior consent and approval of the
28 State Board of Education.

29
30 6-13-1403. Conditions under which the State Board of Education may
31 annex school districts.

32 (a) The State Board of Education shall consider the annexation of an
33 affected school district or districts to a receiving district or districts
34 under the following conditions:

35 (1) The State Board of Education determines that it is in the
36 best interest of the affected district and the receiving district for a

1 school to be annexed rather than consolidated;

2 ~~(1)(A)~~(2)(A) The affected district or districts file a petition
3 with the state board requesting annexation to a particular receiving district
4 or districts, and a copy of the petition is filed with the county clerk's
5 office of each county where the affected district or districts are located~~+~~.

6 (B) The county clerk's office of each county where the
7 affected district or districts are located certifies in writing that the
8 petition has been signed by a majority of the qualified electors of the
9 district or districts; and

10 (C) The receiving district or districts provide to the
11 state board written proof of consent to receive the affected district or
12 districts by annexation as evidenced by either a vote to approve annexation
13 by resolution by a majority of the members of the local receiving board of
14 education or by vote to approve annexation by a majority of the qualified
15 electors of the receiving district as provided for in § 6-14-122;

16 ~~(2)(A)~~(3)(A) A majority of the qualified electors in the
17 affected district or districts vote to approve the annexation of an affected
18 school district or districts to a receiving district or districts as provided
19 for in § 6-14-122; and

20 (B) The receiving district or districts provide to the
21 state board written proof of consent to receive the affected district or
22 districts by annexation as evidenced by either a vote to approve annexation
23 by resolution by a majority of the members of the local receiving board of
24 education or by vote to approve annexation by a majority of the qualified
25 electors of the receiving district as provided for in § 6-14-122; or

26 ~~(3)(A)~~(4)(A) The local board of education of the affected
27 district or districts vote to approve by resolution the annexation of the
28 affected district or districts to a receiving district or districts by a
29 majority of the members of the local board of education of the affected
30 district or districts; and

31 (B) The receiving district or districts provide to the
32 state board written proof of consent to receive the affected district or
33 districts by annexation as evidenced by either a vote to approve annexation
34 by resolution by a majority of the members of the local receiving board of
35 education or by vote to approve annexation by a majority of the qualified
36 electors of the receiving districts as provided for in § 6-14-122.

1 (b) The state board may vote to approve, by a majority of a quorum
2 present of the members of the state board, the annexation of the affected
3 districts into a receiving district;

4 (1) As allowed under § 6-13-1603; or

5 (2) ~~upon~~ Upon receipt of a valid petition for annexation and
6 after receiving proof from the petitioning party of at least one (1) of the
7 required conditions set forth in subsection (a) of this section and upon
8 receipt of proof of the issuance of public notice of the intent to annex
9 affected districts into a receiving district or districts in the local
10 newspapers of general circulation in the affected districts for a time period
11 of no less than once a week for two (2) consecutive weeks immediately prior
12 to the time the petition is filed with the state board.

13 (c) In order for the petition for annexation to be valid, it shall be
14 filed with the state board at least thirty (30) days prior to the next
15 regularly scheduled state board meeting, at which time the petition will be
16 presented for hearing before the state board. However, no petition is
17 required for the State Board of Education to annex a school district under
18 § 6-13-1603.

19 (d)(1) Upon determination by the State Board of Education to annex
20 rather than consolidate a school district under § 6-13-1603 or approval of a
21 petition requesting annexation, the state board shall issue an order
22 dissolving the affected districts and establishing the receiving school
23 district or districts.

24 (2)(A) The state board shall issue an order establishing the
25 boundary lines of the receiving district or districts.

26 (B) It shall be the duty of the Department of Education to
27 make changes in the maps of the school districts to properly show the
28 boundary lines of the receiving district or districts.

29 (e) The state board shall issue an order establishing the changed
30 boundaries and shall file the order with the county clerk or clerks of the
31 county or counties where the receiving district or districts are located. The
32 county clerk shall make a permanent record of the order and, thereafter, the
33 boundaries so established shall be boundaries of the receiving district until
34 changes are made according to the provisions of law.

35 (f) The state board shall not annex affected districts that are not
36 geographically contiguous unless the following limited conditions are

1 determined to be valid reasons for annexation:

2 (1) The annexation will result in the overall improvement in the
3 educational benefit to students in all the school districts involved; or

4 (2) The annexation will provide a significant advantage in
5 transportation costs or service to all the school districts involved.

6

7 6-13-1404. Conditions under which the State Board of Education may
8 consolidate school districts.

9 (a) The State Board of Education shall consider the consolidation of
10 affected school districts into a new resulting school district or districts
11 under the following conditions:

12 (1) The State Board of Education determines it is in the best
13 interest of the affected district and the resulting district for a school to
14 be consolidated rather than annexed under § 6-13-1603; or

15 ~~(1)(A)~~(2)(A) The affected districts file a petition with the
16 state board requesting that the affected districts be consolidated into a
17 resulting district or districts;

18 (B) A copy of the petition has been filed with the county
19 clerk's office of each county where the affected districts are located; ~~and~~

20 (C) The county clerk's office certifies in writing to the
21 state board that the petition has been signed by a majority of the qualified
22 electors of the affected districts;

23 ~~(2)(D)~~ A majority of the qualified electors in the
24 affected districts votes to approve consolidation of the affected districts
25 into a resulting district or districts pursuant to a valid election as
26 provided for in § 6-14-122; and

27 ~~(3)(E)~~ The local board of directors votes to approve by
28 resolution of a majority of the members of each local board of education the
29 consolidation of the affected districts into a resulting district or
30 districts.

31 (b) The state board:

32 (1) Shall consolidate school districts as allowed under § 16-13-
33 1603; or

34 (2) May ~~may~~ vote to approve by a majority of a quorum present of
35 the members of the state board the consolidation of the affected districts
36 into a resulting district upon receipt of a valid petition for consolidation,

1 after receiving proof from the petitioning party of at least one (1) of the
2 required conditions set forth in subsection (a) of this section, and upon
3 receipt of proof of the issuance of public notice of the intent to
4 consolidate affected districts into a resulting district or districts in the
5 local newspapers of general circulation in the affected districts for a time
6 period of no less than once a week for two (2) consecutive weeks immediately
7 prior to the time the petition is filed with the state board.

8 (c) In order for the petition for consolidation to be valid, it shall
9 be filed with the state board at least thirty (30) days prior to the next
10 regularly scheduled state board meeting, at which time the petition will be
11 presented for hearing before the state board. However, no petition is
12 required for the State Board of Education to consolidate a school district
13 under § 6-13-1603.

14 (d)(1) Upon consolidation of a district under § 6-13-1603 or approval
15 of a petition requesting consolidation, the state board shall issue an order
16 dissolving the affected school districts and establishing the resulting
17 school district or districts.

18 (2)(A) The state board shall issue an order establishing the
19 boundary lines of the resulting district or districts.

20 (B) It shall be the duty of the Department of Education to
21 make changes in the maps of the school districts to properly show the
22 boundary lines of the resulting district or districts.

23 (e)(1) The state board shall issue an order establishing the changed
24 boundaries and shall file the order with the county clerk or clerks where the
25 resulting district or districts are located.

26 (2) The county clerk shall make a permanent record of the order
27 and, thereafter, the boundaries so established shall be boundaries of the
28 resulting district until changes are made according to the provisions of law.

29 (f) The state board shall not consolidate affected districts that are
30 not geographically contiguous unless the following limited conditions are
31 determined to be valid reasons for consolidation:

32 (1) The consolidation will result in the overall improvement in
33 the educational benefit to students in all the school districts involved; or

34 (2) The consolidation will provide a significant advantage in
35 transportation costs or service to all the school districts involved.

36

1 6-13-1405. Effective date of annexation or consolidation.

2 (a) Upon consolidation or annexation of a school district under § 6-
3 13-1603:

4 (1) The effective date of the annexation or consolidation shall
5 be as set forth by the State Board of Education;

6 (2) The State Board of Education shall prescribe the number of
7 members of the board of directors of the resulting district;

8 (3) The consolidation plan adopted by the State Board of
9 Education shall be filed with the county clerk of each county that contains
10 territory or a portion of the territory of each affected school district; and

11 (4) All terms and conditions of the consolidation shall be as
12 set forth in the State Board of Education reorganization plan.

13 ~~(a)~~(b) Upon a voluntary consolidation:

14 (1) Unless an agreement is reached in the consolidation or
15 annexation agreement to be different, the effective date of the annexation or
16 consolidation shall be the July 1 following the order of the state board
17 directing the annexation or the consolidation;

18 ~~(b)~~(2) Each board of directors of the affected districts by
19 majority approval of the members of the local board may enter into a written
20 agreement executed by the former president and secretary of each district.
21 The agreement shall prescribe the date of the annexation of the affected
22 district or districts to the receiving district or the formation of the
23 resulting district from consolidation of affected districts;

24 ~~(e)~~(3) The agreement shall also prescribe the number of members
25 of the board of directors of the resulting district ~~as provided for in § 6-~~
26 13-1205 (repealed); and

27 ~~(d)~~(4) An executed copy of the agreement shall be filed with the
28 county clerk of each county that contains territory or a portion of the
29 territory of each affected school district.

30
31 6-13-1406. Board of directors - Term - Election.

32 ~~(a)(1) Unless the board of directors of the affected district or~~
33 ~~districts and the board of directors of the receiving district or districts~~
34 ~~agree otherwise, the~~ The board of directors of the receiving district or
35 districts after annexation shall be the same board of directors of the
36 receiving district prior to annexation until the next regular school

1 election.

2 ~~(2) The boards of directors of the affected districts may by~~
3 ~~agreement establish a new board of directors other than the current board of~~
4 ~~directors of the receiving district composed of not fewer than five (5) nor~~
5 ~~more than seven (7) directors except for those school districts allowed to do~~
6 ~~otherwise pursuant to § 6-13-604.~~

7 ~~(3)(2) The~~ At the next regular school election following the
8 annexation, the board of directors of the receiving district ~~created by~~
9 ~~agreement~~ shall be elected from single-member zones of substantially equal
10 population based upon the most recent census information and from which
11 racial minorities may be represented on the board in proportions reflected in
12 the district as a whole.

13 (b)(1) ~~Unless the boards of directors of the affected districts agree~~
14 ~~otherwise, the~~ The board of directors of the resulting district after
15 consolidation shall be composed of seven (7) members until the next regular
16 school election.

17 ~~(2) The boards of directors of the affected districts may by~~
18 ~~agreement establish a board of directors of the resulting district composed~~
19 ~~of not fewer than five (5) nor more than seven (7) directors except for those~~
20 ~~school districts allowed to do otherwise pursuant to § 6-13-604.~~

21 ~~(3)(2) The~~ At the next regular school election following the
22 consolidation, the board of directors of the resulting district shall be
23 elected from single-member zones of substantially equal population based upon
24 the most recent census information and from which racial minorities may be
25 represented on the board in proportions reflected in the district as a whole.

26 (c) The length of the term of each member of the board of directors
27 after annexation or consolidation shall be for a time period as allowed by
28 law.

29 (d) At the first meeting of a new board after annexation or
30 consolidation, the members shall determine their terms by lot so that no more
31 than two (2) members' terms expire during any one (1) year.

32 (e) Any vacancy on the board shall be filled in the manner provided
33 for by law.

34 (f) The establishment of a board of directors with an even number of
35 members following annexation or consolidation is hereby prohibited.

36

1 6-13-1407. Creation of a district - When part of a district taken.

2 (a) Any receiving or resulting district created under this section or
3 as a result of § 6-13-1603, shall become the successor in interest to the
4 property of the district dissolved, shall become liable for the contracts and
5 debts of such a district, and may sue and be sued therefor.

6 (b) When territory less than the entire district is annexed or
7 consolidated to a district, the receiving or resulting district shall take
8 the property of the district from which the territory was taken, as the State
9 Board of Education shall deem proper, and shall be liable for that part of
10 all indebtedness of the district from which the territory was taken as shall
11 be assigned to it by the state board unless otherwise approved by a majority
12 vote of the affected school district's or districts' board or boards of
13 directors.

14
15 6-13-1408. Annexation or consolidation not to negatively impact state-
16 assisted desegregation.

17 (a) The State Board of Education shall not order any annexation or
18 consolidation under this subchapter or any other act or any combination of
19 acts which hampers, delays, or in any manner negatively affects the
20 desegregation efforts of a school district or districts in this state.

21 (b) Prior to the entry of any order under this subchapter or § 6-13-
22 1603, the state board shall seek an advisory opinion from the Attorney
23 General concerning the impact of the proposed annexation or consolidation on
24 the effort of the state to assist a district or districts in desegregation of
25 the public schools of this state.

26 (c) Any order of annexation or consolidation or combination thereof
27 that violates the provisions of this section shall be null and void.

28
29 6-13-1409. State Board of Education.

30 (a) The State Board of Education shall have the following duties
31 regarding consolidations and annexations:

32 (1) To form local school districts, change boundary lines of
33 school districts, dissolve school districts and annex the territory of such
34 districts to another district, create new school districts, and perform all
35 other functions regarding changes in school districts in accordance with the
36 law;

1 (2) To transfer funds and attach territory that is in no school
2 district to other school districts as may seem best for the educational
3 welfare of the children; and

4 (3) To enact rules and regulations regarding the consolidation
5 and annexation of school districts under this title.

6 (b)(1) Any ~~person~~ school district being a party to a proceeding before
7 the state board concerning consolidation or annexation who feels aggrieved or
8 that is affected by any final order or decision of the state board may file a
9 petition for appeal from such a final order or decision, provided, within
10 thirty (30) days from the date of the final order or decision complained of,
11 the ~~person shall~~ board of directors of the district approve the appeal by a
12 majority vote, and:

13 (A) Make an affidavit that the appeal taken from such a
14 final order or decision of the state board is not taken for purposes of
15 delay; and

16 (B) Enter into a bond with good and sufficient surety
17 thereon in such sum as shall be ordered by the state board, not to exceed
18 twice the amount of property tax revenues involved in the appeal.

19 (2) The appeal provided in this section shall be to the Circuit Court
20 of Pulaski County.

21
22 SECTION 3. Arkansas Code Title 6, Chapter 13, is amended to add an
23 additional subchapter to read as follows:

24 6-16-1101. The Department of Education shall amend the Arkansas
25 Standards of Accountability for Public Schools that establish the following:

26 (1)(A) For student in grades nine through twelve (9-12), the following
27 courses of fifty (50) units shall be taught every year by an accredited high
28 school:

29 (i) Six (6) units of language arts, including:

30 (a) Four (4) units English;

31 (b) One (1) unit oral communications or one-half ($\frac{1}{2}$)
32 unit oral communications and one-half ($\frac{1}{2}$) unit drama;

33 (c) One (1) unit journalism;

34 (d) Advanced placement English; and

35 (e) Other options as approved by the Department of
36 Education;

- 1 (ii) Six (6) units of science, including:
2 (a) One (1) unit biology;
3 (b) One (1) unit chemistry;
4 (c) One (1) unit physics;
5 (d) Advanced placement science; and
6 (e) Other options as approved by the Department of
7 Education;
- 8 (iii) Seven (7) units of mathematics, including:
9 (a) One (1) unit of algebra I;
10 (b) One (1) unit of geometry;
11 (c) One (1) unit of algebra II;
12 (d) One (1) unit of pre-calculus mathematics to
13 include trigonometry;
14 (e) Advanced placement calculus; and
15 (f) Other options as approved by the Department of
16 Education;
- 17 (iv) Three (3) units of foreign languages, including level
18 III of the same foreign language;
- 19 (v) Three and one-half (3½) units of fine arts, including:
20 (a) One (1) unit of art;
21 (b) One (1) unit of instrumental music;
22 (c) One (1) unit of vocal music; and
23 (d) One-half (½) unit survey of fine arts or an
24 advanced art or music course;
- 25 (vi) Five (5) units of computer applications with an
26 emphasis on current applications, including:
27 (a) Word processing;
28 (b) Spreadsheets;
29 (c) Databases;
30 (d) Graphics; and
31 (e) Telecommunications;
- 32 (vii) Four (4) units of social studies, including:
33 (a) One (1) unit American history each year with
34 emphasis on 20th Century America;
35 (b) One (1) unit world history;
36 (c) One-half (½) civics or government;

1 (d) One-half ($\frac{1}{2}$) of Arkansas history, if not taught
2 in grades seven (7) or eight (8); and

3 (e) Other options as approved by the Department of
4 Education;

5 (viii) One-half ($\frac{1}{2}$) unit health and safety education and
6 physical education; including:

7 (a) One (1) unit physical education; and

8 (b) One-half ($\frac{1}{2}$) unit health and safety education;

9 (ix) Fifteen (15) units of career and technical education;

10 (x) A minimum of three (3) programs of study selected from
11 no less than five (5) different occupational and technical programs offered
12 annually from the following list:

13 (a) Agriculture education;

14 (b) Business technology;

15 (c) Health occupations;

16 (d) Home economics education;

17 (e) Marketing technology;

18 (f) Trade, industrial, and technical education; and

19 (g) Work-based learning or apprenticeship;

20 (B) The Department of Education shall promulgate rules and
21 regulations for the enforcement of this subchapter.

22
23 6-16-1102. Graduation requirements.

24 (a) At least a total of twenty-four (24) units earned in grades nine
25 through twelve (9-12) shall be required for high school graduation. Only one
26 (1) of these units may be in physical education.

27 (b) A unit of credit shall be defined as the credit given for a
28 course that meets for a minimum of one hundred twenty (120) clock hours. A
29 minimum average six-hour day or minimum average thirty (30) hour week is
30 required.

31 (c)(1) Beginning in the school year 2004-2005, twenty-four (24) units
32 of credit will be required for graduation.

33 (2) These requirements shall include the following:

34 (A) The common core of sixteen (16) units which shall
35 include:

36 (i) Four (4) units of English;

- 1 (ii) One-half ($\frac{1}{2}$) unit of oral communications;
2 (iii) Three (3) units of social studies, including:
3 (a) One (1) unit of world history;
4 (b) One (1) unit of U. S. history; and
5 (c) One-half ($\frac{1}{2}$) unit of civics or government;
6 (iv) Three (3) units of mathematics which must build
7 on the base of algebra and geometry knowledge and skills, including:
8 (a) One (1) unit of algebra or its equivalent;
9 and
10 (b) One (1) unit of geometry or its
11 equivalent; or
12 (c) A two-year algebra equivalent or a two-
13 year geometry equivalent may be counted as two units of the three-unit
14 requirement;
15 (v) Three (3) units of science, including:
16 (a) At least one (1) unit of biology or its
17 equivalent; and
18 (b) One (1) unit of a physical science;
19 (vi) One-half ($\frac{1}{2}$) unit of physical education;
20 (vii) One-half ($\frac{1}{2}$) unit of health and one-half ($\frac{1}{2}$)
21 unit safety; and
22 (viii) One-half ($\frac{1}{2}$) unit of fine arts; and
23 (ix) One (1) unit computer application; and
24 (B)(i) Career focus units.
25 (ii) All units in the career focus requirement shall
26 be established through guidance and counseling at the local school district
27 based on the students contemplated work aspirations.
28 (iii) Career focus courses shall conform to local
29 district policy and reflect state frameworks through course sequencing and
30 career course concentrations where appropriate.
31 (d)(1) Local school districts may require additional units for
32 graduation beyond the sixteen (16) common core and the career focus units.
33 (2) These may be in academic or technical areas, or both.
34 (e) All the common core, career focus, and elective units must total
35 at least twenty-four (24) units to graduate.
36

1 6-16-1103. Facilities and equipment.

2 (a) School facilities shall be planned and constructed in accordance
3 with the laws of the State of Arkansas and the regulations of the Arkansas
4 Department of Health, the office of the State Fire Marshall, and the
5 Department of Education.

6 (b) Each room shall be furnished with equipment and instructional
7 materials necessary to provide the environment and working conditions
8 appropriate for subjects or activities assigned.

9 (c) Each school district must meet all facility and equipment
10 standards as defined by the General Assembly based on the adequacy study.

11 (d) Facility and equipment improvements may be achieved through
12 agreements, partnerships with public and/or private entities.

13
14 SECTION 4. Arkansas Code § 6-15-202 is amended to read as follows:

15 6-15-202. Accreditation - Development of regulations and standards.

16 (a) The State Board of Education is authorized and directed to develop
17 comprehensive regulations, criteria, and minimum standards, except as set
18 forth in § 6-15-1702 to be used by the board and the Department of Education
19 in the accreditation of school programs in elementary and secondary public
20 schools in this state.

21 (b) After the regulations are adopted and implemented by the board,
22 standards shall regularly be reviewed by the House and Senate Interim
23 Committees on Education at least once every two (2) years, and
24 recommendations and advice in regard thereto may be filed by the committees
25 with the board for its consideration.

26
27 SECTION 5. Arkansas Code § 6-15-402 through 6-15-404 are amended to
28 read as follows:

29 6-15-402. Purpose.

30 (a)(1) The purpose of this subchapter is to provide the statutory
31 framework necessary to ensure that all students in the public schools of this
32 state demonstrate grade-level academic proficiency through the application of
33 knowledge and skills in the core academic subjects consistent with state
34 curriculum frameworks, performance standards, and assessments. The State of
35 Arkansas recognizes and declares that students who are not performing at
36 grade-level standards of academic proficiency are especially harmed by social

1 promotion because they are not equipped with the necessary academic skills to
 2 be successful and productive members of society. The Department of Education
 3 is committed to having all students perform at grade level and beyond. For
 4 this reason, the Arkansas Comprehensive Testing, Assessment, and
 5 Accountability Program will emphasize point-in-time intervention and
 6 remediation upon the discovery that any student is not performing at grade
 7 level.

8 (2) This subchapter is constructed around a system that includes
 9 statewide indicators, individual school improvement indicators, and a locally
 10 generated school accountability narrative. The total program shall be applied
 11 to each school in the state public school system.

12 (3) This subchapter is designed to be a multiyear commitment to
 13 assess the academic progress and performance of Arkansas' public school
 14 students.

15 (b) The purposes of the assessment and accountability program
 16 developed pursuant to the provisions of this subchapter shall be to:

17 (1) Improve student learning and classroom instruction;

18 (2) Provide public accountability by exemplifying expected
 19 achievement levels and reporting on school and school district performance;
 20 and

21 (3) Provide evaluation data of school and school district
 22 performance in order to assist policymakers at all levels in decision making.

23 (c) To determine the performance of a school and district for purposes
 24 of the 2003 Comprehensive Educational Excellence Reform Act.

25
 26 6-15-403. Authority of State Board of Education.

27 The State Board of Education through the Department of Education ~~is~~
 28 ~~hereby authorized to~~ shall:

29 (1) Develop a comprehensive testing, assessment, and
 30 accountability program which utilizes the most current and effective testing,
 31 evaluation, and assessment research information designed to achieve the
 32 following purposes set forth in this subchapter:

33 (A) Set clear academic standards;

34 (B) Establish professional development;

35 (C) Establish expected achievement levels;

36 (D) Report on student achievement;

- 1 (E) Provide evaluation data;
2 (F) Recognize excellence; and
3 (G) Apply sanctions;
- 4 (2) Promulgate such rules and regulations as may be necessary to
5 develop and implement the comprehensive testing, assessment and
6 accountability program; ~~and~~
- 7 (3) Employ staff and enter into contracts as may be necessary to
8 carry out the provisions of this subchapter-; and
- 9 (4) Prior to administering the test, determine the score
10 necessary to determine if a student is proficient in the subject area being
11 tested or assessed.

12
13 6-15-404. Program implementation.

14 (a)(1) The Department of Education shall develop and implement testing
15 for public school students at the primary and middle-level grades, as well as
16 end-of-course testing, which is criterion-referenced and which measures
17 application of knowledge and skills in reading and writing literacy,
18 mathematics and, ~~as funds are available~~, in science and social studies.

19 (2) The department shall test public school students with a
20 nationally norm-referenced test to be selected by the State Board of
21 Education at the middle-level and high school grades.

22 (3) The board shall establish expected levels of achievement on
23 the criterion-referenced examinations.

24 (4) The State of Arkansas shall participate in the
25 administration of the National Assessment of Educational Progress
26 examinations.

27 (b) Any student failing to achieve the established standard on the
28 criterion-referenced examinations shall be evaluated by school personnel, who
29 shall jointly develop an academic improvement plan to assist the student in
30 achieving the expected standard in subject areas where performance is
31 deficient.

32 (c)(1) Each school shall develop one (1) comprehensive, long-range
33 school improvement plan focused on student achievement.

34 (2)(A) Any school that fails to achieve expected levels of
35 student performance on criterion-referenced tests, norm-referenced tests, and
36 related indicators, as defined in this subchapter, shall participate in a

1 school improvement plan accepted by the department. This improvement plan
2 shall assist those students performing below grade level in achieving the
3 expected standard.

4 (B) This plan shall be part of each school's long-range
5 comprehensive school improvement plan and shall be reported to the public.

6 (C) Progress on improved achievement shall be included as
7 part of the school's and school district's annual report to the public.

8 (d) The department and the local school districts shall annually
9 compile and disseminate to the public results of administering all required
10 examinations. The results of the end-of-course testing shall become a part of
11 each student's transcript or permanent record and shall be recorded on these
12 documents in a manner prescribed by the state board.

13 (e) The Department of Education shall rank the school districts based
14 upon the aggregate of all student performance indicators. Any district that
15 ranks in the lowest twenty percent (20%) shall be subject to remediation,
16 reprimand, consolidation, annexation, or detachment at the discretion of the
17 State Board of Education.

18
19 SECTION 6. Arkansas Code § 6-16-103 is amended to read as follows:
20 6-16-103. Course of study generally.

21 (a) There shall be taught in all of the public or elementary schools
22 of this state such subjects as may be designated by the State Board of
23 Education or required by law.

24 (b) Nothing in this section shall be construed to prohibit the
25 inclusion of additional subjects in the state course of study or in any
26 course formulated for a school district and approved by the board.

27 (c)(1) Each year no later than twenty (20) days prior to the date that
28 students are required to register for classes to be taken in grades nine
29 through twelve (9-12), the school district shall mail to every parent a
30 letter notifying the parent of the school district's obligation to offer
31 certain classes, and a list of classes that are required to be taught by the
32 school district under the State Board of Education standards for
33 accreditation.

34 (2) The school district shall indicate any classes that are
35 required to be taught each year, and classes that may be taught every other
36 year.

1 (3) If the district offers classes on alternating years, the
2 notice shall indicate in which school year or years the classes will be
3 offered.

4
5 SECTION 7. Arkansas Code Title 6, Chapter 17, is amended to read as
6 follows:

7 6-17-1001. ~~Minimum base salary—Master’s degree.~~ Salary for teachers.

8 ~~(a) The board of directors in each school district in the state shall~~
9 ~~pay their teachers upon a salary schedule which has annual increments for~~
10 ~~education and experience and which provides for a base salary, a minimum~~
11 ~~salary for a teacher with a master’s degree, and at least fifteen (15) years~~
12 ~~of experience as described in this section.~~

13 ~~(b) In school year 2000-2001 and in each school year thereafter, no~~
14 ~~school district shall pay its teachers with a bachelor’s degree and no~~
15 ~~experience less than twenty one thousand eight hundred sixty dollars~~
16 ~~(\$21,860).~~

17 ~~(c) In school year 2000-2001 and in each school year thereafter,~~
18 ~~school districts shall pay teachers with a master’s degree and no experience~~
19 ~~at least one hundred fifteen percent (115%) of the minimum base salary~~
20 ~~prescribed in subsection (b) of this section.~~

21 ~~(d) In school year 2001-2002 and in each school year thereafter,~~
22 ~~school districts shall pay a teacher with a master’s degree and at least~~
23 ~~fifteen (15) years of experience one hundred fifty percent (150%) of the~~
24 ~~state minimum base salary.~~

25 ~~(e)(1) In school year 1995-1996 and in each school year thereafter,~~
26 ~~each school district in the state shall have in place a salary schedule which~~
27 ~~provides at least fourteen (14) annual increments for experience.~~

28 ~~(2) In school year 2001-2002 and in each school year thereafter,~~
29 ~~each school district in the state shall have in place a salary schedule which~~
30 ~~provides at least fifteen (15) annual increments for experience.~~

31 ~~(3) In school year 2001-2002 and in each school year thereafter,~~
32 ~~each school district in the state shall have in place a salary schedule with~~
33 ~~at least the following minimum levels of compensation:~~

Years Experience	BA Degree Salary	MA Degree Salary
34 0	\$21,860	\$25,139
35 1	22,304	25,649

1	2	22,748	26,159
2	3	23,192	26,669
3	4	23,636	27,179
4	5	24,080	27,689
5	6	24,524	28,199
6	7	24,968	28,709
7	8	25,412	29,219
8	9	25,856	29,729
9	10	26,300	30,239
10	11	26,744	30,749
11	12	27,188	31,259
12	13	27,632	31,769
13	14	28,076	32,279
14	15 or more	28,520	32,789

15 (a)(1) Beginning with the 2003-2004 school year, all teachers in a
 16 public school in a Arkansas shall be paid a set forth on the following
 17 teacher salary schedule:

19	<u>Years Experience</u>	<u>BA Degree Salary</u>	<u>MA Degree Salary</u>
20	<u>0</u>	<u>\$33,020</u>	<u>\$35,120</u>
21	<u>1</u>	<u>33,520</u>	<u>35,670</u>
22	<u>2</u>	<u>34,020</u>	<u>36,220</u>
23	<u>3</u>	<u>34,520</u>	<u>36,770</u>
24	<u>4</u>	<u>35,020</u>	<u>37,320</u>
25	<u>5</u>	<u>35,520</u>	<u>37,870</u>
26	<u>6</u>	<u>36,020</u>	<u>38,420</u>
27	<u>7</u>	<u>36,520</u>	<u>38,970</u>
28	<u>8</u>	<u>37,202</u>	<u>39,520</u>
29	<u>9</u>	<u>37,520</u>	<u>40,070</u>
30	<u>10</u>	<u>38,020</u>	<u>40,620</u>
31	<u>11</u>	<u>38,520</u>	<u>41,170</u>
32	<u>12</u>	<u>39,020</u>	<u>41,720</u>
33	<u>13</u>	<u>39,520</u>	<u>42,270</u>
34	<u>14</u>	<u>40,020</u>	<u>42,820</u>
35	<u>15</u>	<u>40,520</u>	<u>43,370</u>
36	<u>16</u>	<u>41,020</u>	<u>43,920</u>

1	<u>17</u>	<u>41,520</u>	<u>44,470</u>
2	<u>18</u>	<u>42,020</u>	<u>45,020</u>
3	<u>19</u>	<u>42,520</u>	<u>45,570</u>
4	<u>20 or more</u>	<u>43,020</u>	<u>46,120</u>

5 ~~(f) For the 1997-98 school year and for each year thereafter, each~~
6 ~~school district shall provide no less than four hundred dollar increments for~~
7 ~~experience for teachers with one (1) and two (2) years of experience.~~

8 ~~(g) For the 1998-1999 school year and for each year thereafter, each~~
9 ~~school district shall provide no less than four hundred dollar increments for~~
10 ~~experience for teachers with three (3) and four (4) years of experience.~~

11 ~~(h) For the 1999-2000 school year and for each year thereafter, each~~
12 ~~school district shall provide no less than four hundred dollar increments for~~
13 ~~experience for teachers with five (5) and six (6) years of experience.~~

14 ~~(i) For the 2000-2001 school year and for each year thereafter, each~~
15 ~~school district shall provide no less than four hundred dollar increments for~~
16 ~~experience for teachers with seven (7) and eight (8) years of experience.~~

17 ~~(j) For the 2001-2002 school year and for each year thereafter, each~~
18 ~~school district shall provide no less than four hundred dollar increments for~~
19 ~~experience for teachers with nine (9) and ten (10) years of experience.~~

20 ~~(k) For the 2002-2003 school year and for each year thereafter, each~~
21 ~~school district shall provide no less than four hundred dollar increments for~~
22 ~~experience for teachers with eleven (11) and twelve (12) years of experience.~~

23 ~~(l)(1) For the 2003-2004 school year and for each year thereafter,~~
24 ~~each school district shall provide no less than four hundred dollar~~
25 ~~increments for experience for teachers with thirteen (13) years of~~
26 ~~experience.~~

27 ~~(2) For the 2004-2005 school year and for each year thereafter,~~
28 ~~each school district shall provide no less than four hundred dollar~~
29 ~~increments for experience for teachers with fourteen (14) years of~~
30 ~~experience.~~

31 ~~(3) For the 2005-2006 school year and for each year thereafter,~~
32 ~~each school district shall provide no less than four hundred dollar~~
33 ~~increments for experience for teachers with fifteen (15) years of experience.~~

34 ~~(m) Subsections (f) (1) of this section shall not apply to any local~~
35 ~~school district whose minimum salary for teachers exceeds twenty one thousand~~
36 ~~eight hundred sixty dollars (\$21,860), and whose average salary exceeds the~~

1 ~~state average salary for teachers for the previous year.~~

2 ~~(n)(b)~~ The term "teacher", as used in this section, shall include any
3 full-time employee of a local public school district who is compelled by law
4 to secure a license from the State Board of Education as a condition
5 precedent to employment in a position ~~in or related to~~ whose primary
6 responsibilities are for the education of public school students in grades
7 prekindergarten through twelve (preK-12) of the public schools of this state
8 and do not include district-wide administrative duties.

9 ~~(o)(c)~~ ~~All minimum~~ The salaries set forth in this section shall be for
10 a contract number of days that is not more or less than the number of days in
11 the school year required by the state board's regulations for accreditation
12 for the school year in which the contract is effective.

13 ~~(p)(1)~~ ~~A district that determines that it cannot meet the minimum~~
14 ~~salary requirements of this section from funds available may petition the~~
15 ~~Department of Education for a waiver of the requirements of this section for~~
16 ~~up to three (3) school years, based on regulations promulgated by the state~~
17 ~~board.~~

18 ~~(2)~~ ~~The department shall not grant a waiver to any district that~~
19 ~~is not in compliance with the uniform rate of tax requirements under Arkansas~~
20 ~~Constitution, Amendment 74.~~

21 ~~(q)~~ ~~[Repealed.]~~

22
23 6-17-1002. Salary amount - Annual review.

24 ~~(a)~~ ~~The salaries fixed herein shall be regarded as minimum salaries~~
25 ~~only, and each district may supplement such salaries.~~ No teacher shall
26 receive a reduced salary as a result of this subchapter's requirements, if a
27 teacher is was paid more than the amount set forth in the teacher salary
28 schedule in this section in the previous school year. The teacher may
29 continue to receive a salary equal to the previous year's salary.

30 ~~(b)~~ ~~Base salary shall not be raised until all teachers within a~~
31 ~~district are paid equal to or greater than the minimum requirements~~
32 ~~established herein. Each school district shall develop its own salary~~
33 ~~schedule with salaries equal to or greater than the required minimums set~~
34 ~~forth herein.~~

35 ~~(e)(b)~~ The Arkansas Teachers' Salaries Study Commission shall annually
36 review the minimum base salary and make recommendations to the Department of

1 Education, the Governor, and the General Assembly for such modifications as
2 the commission shall deem appropriate.

3 (c) The State Board of Education may grant waivers to school districts
4 to pay a teacher or teachers an amount exceeding, but not less than, the
5 amount set forth in the teacher salary schedule, if:

6 (1) The school district is located in an area of the state the
7 Department of Education has determined to have a critical shortage of
8 teachers;

9 (2) The teachers or teacher's have a certification in a subject
10 matter area that the Department of Education has determined to have a
11 critical shortage of teachers;

12 (3) The teacher's particular skills, performance, training, or
13 experience would warrant a salary increase; or

14 (4) The school district or a particular school is experiencing a
15 hardship in recruiting or retaining teachers because the teacher salary
16 schedule is significantly disproportionate to the average salaries paid in
17 other available job markets in the county.

18
19 6-17-1003. Enforcement - Appeal - Rules and regulations.

20 (a) The State Board of Education is empowered to enforce the
21 provisions of this subchapter and is specifically authorized to order the
22 dissolution and merger of any school district which fails to comply with the
23 ~~minimum~~ salary requirements established by this subchapter. Any appeal from a
24 decision of the board ordering the dissolution and merger of a school
25 district for failure to comply with the provisions of this subchapter shall
26 be filed in the Circuit Court of Pulaski County and must be filed within
27 thirty (30) days of the decision of the board.

28 (b) The board shall issue rules and regulations to implement this
29 subchapter.

30
31 ~~6-17-1004. Salary goals.~~

32 ~~(a) The personnel policies committees and negotiating teams~~
33 ~~established and maintained in Arkansas public schools are encouraged to set~~
34 ~~and meet five-year goals to substantially increase teacher salaries. In~~
35 ~~setting realistic yet meaningful salary goals, the committees and teams shall~~
36 ~~consider exceeding the state, regional Southern Regional Education Board~~

1 ~~states, border states, or national average salaries for teachers.~~

2 ~~(b) Within two (2), four (4), and five (5) years following the~~
3 ~~adoption of this section, school districts shall report to the Arkansas~~
4 ~~Teachers' Salaries Study Commission and the Department of Education the goals~~
5 ~~developed, adopted, and met.~~

6
7 SECTION 8. Arkansas Code Title 6, Chapter 17, Subchapter 10 is amended
8 to add additional sections to read as follows:

9 6-17-1005. Funds restricted.

10 (a) The Department of Education shall pay school districts in a manner
11 that restricts the used of funds provided from the state to the district for
12 teacher salaries to be use solely by the school district for teacher
13 salaries.

14 (b) Any supplemental pay to the salary schedule for those teachers
15 employed for a period of time longer than the period covered by the salary
16 schedule and for duties in addition to certified employees' regular teaching
17 assignments, shall not be paid from the funds provided by the state for
18 teachers' salaries restricted under subsection (a) and shall only be paid
19 from local funds.

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21 /s/ Key, et al
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