

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/14/05

A Bill

SENATE BILL 1130

5 By: Senators Bryles, Argue, Baker, Bisbee, Capps, Glover, Higginbotham, G. Jeffress, Lavery, Malone,
6 Miller, Salmon, T. Smith, Wilkinson, Womack
7 By: Representatives Elliott, Anderson, Berry, Bolin, Bright, Childers, Clemons, Dickinson, Dunn,
8 Glidewell, R. Green, Hardwick, Harris, J. Hutchinson, T. Hutchinson, Jeffrey, Kenney, Key, Mack,
9 Mahony, M. Martin, Matayo, Mathis, Medley, Nichols, Norton, Pace, Pyle, Rankin, Roebuck,
10 Rosenbaum, Thompson, Thyer, Walters
11
12

For An Act To Be Entitled

13 AN ACT TO AMEND THE CHARTER SCHOOL LAW; AND FOR
14 OTHER PURPOSES.
15
16

Subtitle

17 AN ACT TO AMEND THE CHARTER SCHOOL LAW.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code 6-20-402(a)(1)(B), concerning limitations of
24 school districts indebtedness, is amended to read as follows:

25 (B) School districts or charter schools may enter into
26 public-private partnerships whereby the school district or charter school
27 enters into lease purchase agreements for school buildings built by the
28 private entities with facilities bonds exempt from federal taxes under 26
29 U.S.C § 142(A)(13) as in existence on January 1, 2003.
30

31 SECTION 2. Arkansas Code 6-23-105(d), concerning the procedure for
32 charter modification or probation, is amended to read as follows:

33 (d)(1) The procedure adopted under this section shall provide an
34 opportunity for a hearing to the persons operating the charter school and to
35 the parents of students enrolled in the school.

36 (2) The hearing shall be held ~~at the facility at which the charter school is~~



1 ~~operated in Little Rock at the State Board of Education regular meeting~~
2 auditorium.

3
4 SECTION 3. Arkansas Code § 6-23-201(a), concerning petitions for
5 conversion charter school status, is amended to read as follows:

6 (a)(1) Any public school district may petition the State Board of
7 Education for charter school status, known as a conversion charter school, in
8 accordance with a schedule approved by the state board.

9 (2) Schools may petition for the purpose of:

10 (A) Adopting research-based school or instructional
11 designs, or both, focused on improving student and school performance; or

12 (B) Addressing school improvement status resulting from
13 sanctions listed in § 6-15-207(c)(8) and 6-15-429(a) and (b).

14
15 SECTION 4. Arkansas Code § 6-23-204 is amended to read as follows:
16 6-23-204. Charter renewal.

17 The State Board of Education is authorized to renew charters on a one-
18 year or multiyear basis, not to exceed ~~three (3)~~ five (5) years, for local
19 schools after the initial three-year period if the renewal is approved by the
20 local school board.

21
22 SECTION 5. Arkansas Code § 6-23-302(c)(1)(C), concerning the petition
23 for an open-enrollment charter school, is amended to read as follows:

24 (C)(i) Within seven (7) calendar days following the first
25 publication of notice required under subdivision (c)(1)(B) of this section,
26 letters announcing the public hearing shall be sent to the superintendents
27 ~~and school board members~~ of each of the school districts from which the
28 charter school is likely to draw students for the purpose of enrollment and
29 the superintendents ~~and school board members~~ of any district that is
30 contiguous to the district in which the open-enrollment charter school will
31 be located.

32 (ii) ~~The letters to the school board members~~
33 ~~required in subdivision (c)(1)(C)(i) shall only be required for each school~~
34 ~~board members whose name and mailing address are provided by the~~
35 ~~superintendent of an affected school district upon the request of the~~
36 petitioner. The superintendents of each of the school districts from which

1 the charter school is likely to draw students for the purpose of enrollment
 2 shall notify school board members of their respective district upon receipt
 3 of the letter required in subdivision (c)(1)(C)(i);
 4

5 SECTION 6. Arkansas Code § 6-23-3049(b) through (c), concerning
 6 preference for charter schools in certain school districts, is amended to
 7 read as follows:

8 (b) The state board shall give preference in approving an
 9 application for a charter school to be located in any public school district:

10 (1) Where the percentage of students who qualify for free or
 11 reduced price lunches is above the average for the state; or

12 (2) Where the percentage of students ~~not reading at grade level~~
 13 ~~is above the average for the state~~ scoring basic or below basic on any of the
 14 state-mandated criterion-referenced tests is higher than the state average
 15 for those categories.

16 (c)(1) The state board and may grant no more than a total of ~~twelve~~
 17 ~~(12)~~ twenty-four (24) charters for open-enrollment charter schools, ~~and no~~
 18 ~~more than three (3) of such charters may be granted in any single~~
 19 ~~congressional district in the state.~~

20 (2)(A) Approval preferences shall be given to charter school
 21 applicants proposing to locate a charter school in geographic locations of
 22 the state in which there are school districts that have schools with higher
 23 percentages of students scoring basic or below basic on state-mandated
 24 criterion-referenced tests and if the percentage of students scoring basic or
 25 below basic on state mandated criterion-referenced tests proposed to be
 26 served by the charter school is equal to or greater than the percentage of
 27 students scoring basic or below basic on state mandated criterion-referenced
 28 tests in the school district in which the charter school is to be located.
 29

30 SECTION 7. Arkansas Code § 6-23-307 is amended to read as follows:
 31 6-23-307. Renewal of charter.

32 After the initial ~~three-year~~ five-year period of an open-enrollment
 33 charter, the State Board of Education is authorized to renew these charters
 34 on a one-year or multiyear basis, not to exceed ~~three (3) years per each~~
 35 ~~charter renewal~~ five (5) years for the initial application, but thereafter
 36 shall base re-approval contracts on the state school rating system under § 6-

1 15-1901 or § 6-15-1902, with schools in the highest rating category eligible
2 for a renewal for up to fifteen (15) years.

3
4 SECTION 8. Arkansas Code § 6-23-402 is amended to read as follows:
5 6-23-402. Enrollment numbers and deadline.

6 (a) An open-enrollment charter school may enroll a number of students
7 not to exceed the number of students specified in its charter.

8 (b)(1) Any student enrolling in an open-enrollment charter school
9 shall enroll in that school by ~~April 15~~ July 1 of the school year prior to
10 the school year during which the student will be enrolled in the open-
11 enrollment charter school.

12 (2) However, if a student enrolled by ~~April 15~~ July 1 should no
13 longer choose to attend the open-enrollment charter school, the open-
14 enrollment charter school may enroll a replacement student.

15 (c) Open-enrollment charter schools shall keep records of attendance
16 in accordance with the law and submit quarterly attendance reports to the
17 Department of Education.

18
19 SECTION 9. Arkansas Code § 6-23-501(a), concerning funding for open-
20 enrollment charter schools, is amended to read as follows:

21 (a)(1) An open-enrollment charter school shall receive funds equal to
22 the amount that a public school would receive under ~~§ 6-20-2005(a) and (b)~~ §
23 6-20-2305(a) and (b) as well as any other funding that a charter school is
24 entitled to receive under law or pursuant to rules promulgated by the State
25 Board of Education.

26 (2) Funding for an open-enrollment charter school shall be based
27 upon the current year three-quarter average daily membership of the open-
28 enrollment charter school as follows:

29 (A) The initial funding estimate for each school year
30 shall be based on enrollment as of ~~April 15~~ July 1 preceding the school year
31 in which the students are to attend;

32 (B) In December, funding will be adjusted based on the
33 first quarter average daily membership; and

34 (C) A final adjustment will be made after the current year
35 three-quarter average daily membership is established.

36 (3) Funding for an open-enrollment charter school shall be paid

1 in twelve (12) equal installments each fiscal year.

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3 SECTION 10. Arkansas Code § 6-23-601(a)(3), concerning petitions for
4 limited charter school status, is amended to read as follows:

5 (3) A limited charter shall be initially established for a
6 period of no more than ~~three (3)~~ five (5) years and may be renewed on a one-
7 year or multiyear basis, not to exceed ~~three (3)~~ five (5) years per charter
8 renewal.

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/s/ Bryles

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