

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1342

5 By: Representative Flowers
6
7

For An Act To Be Entitled

9 AN ACT TO STRENGTHEN THE HEALTH AND SAFETY OF
10 PUBLIC SCHOOL CHILDREN BY ENSURING SCHOOL
11 FACILITY INSPECTIONS ARE LAWFULLY CONDUCTED AND
12 COMPLIED WITH; AND FOR OTHER PURPOSES.
13

Subtitle

15 TO STRENGTHEN THE HEALTH AND SAFETY OF
16 PUBLIC SCHOOL CHILDREN BY ENSURING
17 SCHOOL FACILITY INSPECTIONS ARE LAWFULLY
18 CONDUCTED AND COMPLIED WITH.
19
20

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

23 SECTION 1. Arkansas Code § 6-11-105(a)(4) concerning duties of the
24 State Board of Education is repealed.

25 ~~(4) Prescribe rules and regulations for the sanitary inspection~~
26 ~~of all buildings and for the examination of pupils to detect contagious and~~
27 ~~infectious diseases and physical defects;~~
28

29 SECTION 2. Arkansas Code § 6-20-1506(a)(1) concerning engineering
30 service is amended to read as follows:

31 (a)(1) The State Insurance Department ~~is authorized to~~ may maintain an
32 inspection ~~and engineering~~ service and a training program designed to reduce
33 the hazards in public school ~~buildings~~ facilities insured under this program.
34

35 SECTION 3. Arkansas Code § 6-21-112(f) concerning duties of the
36 Division of Public School Academic Facilities and Transportation is amended



1 to read as follows:

2 (f) The division shall:

3 (1) Provide information or assistance to the Academic Facilities
4 Oversight Committee as requested;

5 (2) Use any recommendation or assessments of the oversight
6 committee or the General Assembly as a basis for establishing the policies
7 and procedures of the division;

8 (3) Develop and implement the Arkansas Public School Academic
9 Facilities Program Act as established in § 6-21-801 et seq.;

10 (4) Administer the various programs of state financial
11 participation in support of local academic facilities;

12 (5) Develop and implement an ongoing uniform process for
13 collecting, inventorying, and updating information on the state of condition
14 of all public school academic facilities in the state;

15 (6) Develop a facility cost index that provides a methodology
16 for comparing the cost of repairing the condition of a public school academic
17 facility to the cost of replacing the public school academic facility with a
18 facility containing the same amount of square footage;

19 (7) Conduct unannounced random on-site inspections of public
20 school academic facilities;

21 (8) Enforce through planning minimum standards for accessibility
22 to public school academic facilities and programs for individuals with
23 disabilities;

24 (9) Develop guidelines for competitive bidding, competitive
25 negotiation, and other methods of procurement for public school academic
26 facilities projects;

27 (10) Develop incentive programs to reward school districts for
28 innovative, effective, and efficient use of local and state resources with
29 regard to public school academic facilities;

30 (11) Review applicable statutes, rules, and regulations for
31 conflicts with or omission of energy-related content;

32 (12) Administer the school transportation program in the various
33 school districts of Arkansas, including without limitation, the training of
34 school bus drivers and inspection of school buses, as defined in § 6-19-110;

35 (13) Keep records showing a description of each school district
36 in the state, a map showing the school districts with current and accurate

1 boundaries, the location of the academic facilities, and the electoral zones,
2 if any, into which each school district has been divided;

3 (14) Keep records of all lawfully required inspections conducted
4 by state agencies and commissions on school facilities;

5 ~~(14)~~ (15) Report by October 1 of each year to the Governor, the
6 House Committee on Education, the Senate Committee on Education, and the
7 Academic Facilities Oversight Committee on the state of condition of academic
8 facilities statewide using the following building and design systems:

9 (A)(i) Site land and all improvements to the site, such as
10 grading, drainage, drives, parking areas, walks, landscaping, and
11 playgrounds.

12 (ii) Site improvements shall not include permanent
13 or temporary buildings;

14 (B) Roofing;

15 (C) Exterior;

16 (D) Structure;

17 (E) Interior;

18 (F) Heating, ventilation, and air conditioning;

19 (G) Plumbing and water supply;

20 (H) Electrical;

21 (I) Technology;

22 (J) Fire and safety;

23 (K) Specialty items, including equipment and furnishings;

24 and

25 (L) Space utilization;

26 (16) Report by October 1 of each even-numbered year to the
27 Governor, the House Committee on Education, the Senate Committee on
28 Education, and the Academic Facilities Oversight Committee information
29 regarding:

30 (A) Cooperation of state agencies and commissions lawfully
31 required to perform inspections on school facilities; and

32 (B) Code violations uncovered during lawfully required
33 inspections of school facilities performed by state agencies and commissions;

34 ~~(15)~~ (17) Report by October 1 of each even-numbered year to the
35 Governor, the House Committee on Education, the Senate Committee on
36 Education, and the Academic Facilities Oversight Committee on the state

1 academic facilities master plan;

2 ~~(16)~~ (18) Maintain a public access website dedicated to public
3 school academic facilities; and

4 ~~(17)~~ (19) Develop and implement a statewide facilities needs
5 priority list that provides a methodology for:

6 (A) Prioritization of state school district facility
7 needs; and

8 (B) Comparing the school district advancement of improving
9 facility conditions with school district master plans.

10
11 SECTION 4. Arkansas Code Title 6, Chapter 21, Subchapter 1 is amended
12 to add an additional section to read as follows:

13 6-21-117. Required inspections and maintenance of school facilities.

14 (a) The Division of Public School Academic Facilities and
15 Transportation shall work with school districts, state agencies, and
16 commissions to ensure all lawfully required inspections are performed,
17 including inspections of:

18 (1) Boilers;

19 (2) Electrical;

20 (3) Heating, ventilation, and air conditioning;

21 (4) Natural gas;

22 (5) Plumbing;

23 (6) Water wells; and

24 (7) Other inspections required by law.

25 (b) If a code violation is reported in the course of a required
26 inspection, the division shall work closely with the school district and the
27 appropriate state agency or commission to ensure the violation is remedied
28 within thirty (30) days or as soon as reasonably possible.

29 (c) The division shall work with school districts, state agencies, and
30 commissions to ensure the division is notified of all inspections, inspection
31 reports, and code violations when school districts are notified.