

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1894

5 By: Representative Hobbs
6

For An Act To Be Entitled

8 AN ACT TO REFORM LOW-PERFORMING SCHOOLS; TO ESTABLISH
9 A PARENT TRIGGER PROCESS FOR PARENTS TO IMPROVE
10 PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.
11

Subtitle

12 TO ESTABLISH THE PARENT TRIGGER.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 6, Chapter 15 is amended to add an
20 additional subchapter to read as follows:

21 Subchapter 28 – Parent Trigger

22 6-15-2801. Title.

23 This subchapter shall be known and may be cited as the "Parent
24 Trigger".
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26 6-15-2802. Intent.

27 It is the intent of the General Assembly to:

28 (1) Provide a process by which low-performing schools may be
29 reformed;

30 (2) Enable parents of low-performing schools to initiate reform
31 efforts through a petitioning process; and

32 (3) Allow parents to have a voice in the method of school reform
33 among approved options.
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35 6-15-2803. Definitions.

36 As used in this subchapter:



1 (1) "Charter management organization" means a nonprofit
 2 organization that establishes and manages a public charter school;

3 (2) "Designated school" means a school identified as being in
 4 school improvement under § 6-15-2101 et seq. for three (3) or more years
 5 before a reorganization under this subchapter;

6 (3) "Educational management organization" means a for-profit
 7 organization that contracts to provide management and administration services
 8 for a public school or public charter school; and

9 (4) "Parent" means a person who:

10 (A) Is the parent, legal guardian, or other person having
 11 custody or charge of a student who attends a designated school;

12 (B) Resides with the student; and

13 (C) Is eighteen (18) years of age or older.

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 15 6-15-2804. Parent trigger.

16 (a) Beginning in the 2012-2013 school year, the parent of a student
 17 who attends a designated school may petition the board of directors of the
 18 school district where the designated school is located to reorganize the
 19 designated school by:

20 (1) Closing the school as a public school operated by the school
 21 district and reopening the school as an open-enrollment public charter school
 22 under the guidance of a charter management organization or educational
 23 management organization specified in the petition;

24 (2)(A) Changing the leadership of the public school, including
 25 without limitation replacing the school principal and other licensed
 26 personnel; or

27 (3) Closing the school and transferring the students to a higher
 28 performing school.

29 (b) A petition under this subchapter shall meet the following
 30 requirements:

31 (1) The petition must state which reorganization option the
 32 parent seeks;

33 (2) A parent may sign the petition a number of times equal to
 34 the number of students who reside with the parent and attend the designated
 35 school, but only one (1) parent of a student may sign the petition;

36 (3) A parent's signature on the petition shall be accompanied by

1 the printed name and address of the parent; and

2 (4) A completed petition shall be submitted to the board of
 3 directors.

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 5 6-15-2805. Board of directors responsibilities – Reorganization date.

6 (a) After the board of directors of the school district where a
 7 designated school is located receives a completed petition under § 6-15-2804,
 8 the board shall verify that:

9 (1) Each person who signed the petition is a parent;

10 (2) Only one (1) parent of a student has signed the petition;

11 and

12 (3) The number of times a parent signed the petition does not
 13 exceed the number of students who reside with the parent and attend the
 14 designated school.

15 (b) If a petition verified by the board under subsection (a) of this
 16 section contains at least fifty-one percent (51%) of the number of students
 17 enrolled in the designated school, the board shall implement the
 18 reorganization option sought in the petition.

19 (c)(1) If the petitioners specify a public charter school option, the
 20 charter management organization or educational management organization
 21 specified in the petition shall apply for open-enrollment public charter
 22 school status under the Arkansas Charter Schools Act of 1999, § 6-23-101 et
 23 seq.

24 (2) An application for an open-enrollment public charter school
 25 under this subchapter is exempt from the limitations on the number and
 26 location of open-enrollment public charter schools under § 6-23-304.

27 (3) A student shall have priority for enrolling in an open-
 28 enrollment public charter school established under this subchapter if the
 29 student:

30 (A) Was enrolled in the school before the public school
 31 became an open-enrollment public charter school; or

32 (B) Would ordinarily be assigned to the public school by
 33 the school district.

34 (d) If the petitioners specify a change in leadership option, the
 35 school district board of directors shall base the decision to remove or
 36 replace an administrator or other licensed personnel on a summative

1 evaluation that includes a review of student performance.

2 (e) The reorganization specified in a petition shall be completed:

3 (1) For a petition received by the board between July 1 and
4 December 31, by the beginning of the school year next following the date on
5 which the petition was received by the board; or

6 (2) For a petition received by the board between January 1 and
7 June 30, by the beginning of the second school year following the date on
8 which the petition was received by the board.

9 (f) For the five (5) years following the school year in which a
10 designated school is reorganized under this subchapter, a petition for the
11 reorganization of the designated school may not be submitted to the board of
12 directors of the school district where the reorganized school is located.

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14 6-15-2806. Department of Education responsibilities.

15 (a) The Department of Education may publish a list of pre-approved
16 charter management organizations and educational management organizations in
17 order to streamline the reorganization process under this subchapter.

18 (b) After a petition for reorganization of a designated school is
19 verified under § 6-15-2805, the department: and

20 (1) Shall remove the designated school from the school
21 improvement category pending the reorganization; and

22 (2) May not place the designated school into an improvement or
23 performance category until the school year next following the first school
24 year in which the school operates as an open-enrollment public charter
25 school.

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27 6-15-2807. Funding – School facility.

28 (a) A designated school reorganized under this subchapter shall
29 receive all funding, including state and local funding, that the public
30 school received before the reorganization.

31 (b)(1) For as long as the designated school is reorganized as a public
32 charter school, the public charter school may lease the designated school
33 facility from the school district for not more than one dollar (\$1.00) for
34 each enrolled student each school year.

35 (2) For the term of the lease, the school district shall remain
36 responsible for the school facility under the Arkansas Public School Academic

1 Facilities Program Act, § 6-21-801 et seq.

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