

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013

A Bill

SENATE BILL 1147

4
5 By: Senator L. Chesterfield

For An Act To Be Entitled

8 AN ACT TO EVALUATE THE IMPACT OF SCHOOL DISCIPLINE ON
9 STUDENT ACHIEVEMENT; AND FOR OTHER PURPOSES.

Subtitle

12 TO EVALUATE THE IMPACT OF SCHOOL
13 DISCIPLINE ON STUDENT ACHIEVEMENT.

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14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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18 SECTION 1. LEGISLATIVE FINDINGS. The General Assembly finds that:

19 (1) There are many factors that contribute to poor student
20 performance including lost instruction time or chronic absence;

21 (2) A student who has been suspended even once is less likely to
22 graduate;

23 (3) Discipline that keeps students engaged in the learning
24 process and in the school community is more effective than discipline that
25 interrupts the learning process and separates the student from the school
26 community;

27 (4) Out-of-school suspensions are necessary in some situations
28 but the excessive use of out-of-school suspension as a discipline measure is
29 harmful to the educational process; and

30 (5) Disparity in discipline rates does not necessarily indicate
31 discrimination; it can result from an ineffective school climate or from
32 cultural strategies that are not successful in engaging the academic efforts
33 of all students.

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36 SECTION 2. Arkansas Code § 6-15-1402(b)(2)(A), concerning the



1 information required to be included on a school performance report, is
2 amended to add an additional subdivision to read as follows:

3 (x) Beginning with the 2015-2016 school year,
4 information on student discipline required under § 6-18-515(b); and
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6 SECTION 3. Arkansas Code 6-15-2006(b), concerning the information
7 required to be included on a school district annual report, is amended to add
8 an additional subdivision to read as follows:

9 (6) Beginning with the 2015-2016 school year, information on
10 student discipline required under § 6-18-515.
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12 SECTION 4. Arkansas Code § 6-18-507(b), concerning school district
13 authority to suspend or expel students, is amended to read as follows:

14 (b) The board of directors of a school district may suspend or expel
15 any student from school for violation of the school district's written
16 discipline policies, except that a school district shall not use out-of-
17 school suspension as a discipline measure for truancy.
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19 SECTION 5. Arkansas Code § 6-18-507, concerning school district
20 authority to suspend or expel students, is amended to add an additional
21 subsection to read as follows:

22 (g)(1) A public school shall indicate on a student's attendance record
23 if a student's absence is the result of an out-of school suspension.

24 (2) A public school shall not count in-school suspension days
25 for the purpose of determining truancy.
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27 SECTION 6. Arkansas Code Title 6, Chapter 18, Subchapter 5, is amended
28 to add an additional section to read as follows:

29 6-18-515. Effective school discipline.

30 (a) As used in this section:

31 (1) "Disciplinary rate" means a three-year average for each
32 discipline measure of the number of students in a school district or the
33 number of students in a subgroup in the school district who have at least one
34 (1) discipline measure divided by the corresponding total enrollment in the
35 school district or the total enrollment in the subgroup;

36 (2) "Discipline measure" means:

1 (A) In-school suspension;

2 (B) Out-of-school suspension;

3 (C) Expulsion;

4 (D) Corporal punishment; and

5 (E) Referrals to law enforcement authorities;

6 (3) "Rate of disciplinary disparity" means the disciplinary rate
7 for a subgroup subtracted from the disciplinary rate for another comparison
8 subgroup; and

9 (4) "Subgroup" means the enrollment of students in one (1) of
10 the following demographic groups:

11 (A) White students;

12 (B) Nonwhite students;

13 (C) Low-income students, including without limitation
14 students who are economically disadvantaged for standardized testing
15 purposes;

16 (D) Students with disabilities, defined as "a child with a
17 disability" under § 6-41-203; and

18 (E) Students whose achievement is at the basic or below
19 basic level, or the equivalent, for the school year on the state-required:

20 (i) Literacy benchmark assessments;

21 (ii) Mathematics benchmark assessments; or

22 (iii) End-of-course assessments.

23 (b) By July 1 of each year beginning in 2014, the Department of
24 Education shall prepare and provide a report to the State Board of Education
25 and to all school districts that includes the following information:

26 (1) The total number of students enrolled in the school district
27 and in each subgroup;

28 (2) The percentage that each subgroup represents of the school
29 district's total enrollment;

30 (3) The number of students who appear in more than one (1)
31 subgroup;

32 (4) The disciplinary rate for each discipline measure for the
33 total student enrollment in a school district;

34 (5) The disciplinary rate for each discipline measure for each
35 subgroup; and

36 (6) The rate of disciplinary disparity for each discipline

1 measure for each subgroup compared with the subgroup with the lowest
2 disciplinary rate.

3 (c) The report shall also:

4 (1) Identify the twenty-four (24) school districts with the
5 highest disciplinary rates highest rates of disciplinary disparity for each
6 measure.

7 (B) The department shall identify a method for determining
8 which school districts will be identified in the report.

9 (C) The department may:

10 (i) Identify one (1) or more schools within a school
11 district; and

12 (ii) Provide additional information that the
13 department determines will provide a better understanding of the disciplinary
14 rate or rate of disciplinary disparity of a particular school or school
15 district;

16 (2) Include the achievement status for a school district
17 identified in the report; and

18 (3) Identify discipline-related strategies, alternatives, and
19 resources available to school districts.

20 (d) The department shall:

21 (1) Track the progress that school districts in the state have
22 made in reducing the disciplinary rate and rate of disciplinary disparity
23 and:

24 (2) Identify school districts that make progress reducing the
25 disciplinary rate and rate of disciplinary disparity and assess the
26 successful strategies used by those school districts;

27 (3) Assess the gains, if any, in student academic achievement
28 that correspond to the reduction of disciplinary rates and rates of
29 disciplinary disparity; and

30 (4) Report annually to the state board the information under
31 subdivisions (d)(1)-(3) of this section:

32 (A) The progress made for the year;

33 (B) Successful strategies that may be used by other school
34 districts; and

35 (C) The corresponding gains, if any, in student academic
36 achievement.

1 (e)(1) The department shall survey districts to determine which school
2 districts are currently implementing evidence-based strategies, including
3 without limitation:

4 (A) Positive behavior interventions and support systems;
5 and

6 (B) Restorative justice.

7 (2) The department shall:

8 (A) Develop information concerning the resources needed by
9 school districts to reduce discipline using the strategies in subdivision
10 (e)(1) of this section; and

11 (B) Provide the information for inclusion in the
12 educational adequacy study required under § 10-3-2102(a)(1)-(4).

13 (f) A school district identified with a high disciplinary rate or high
14 rate of disciplinary disparity under subsection (c) of this section shall
15 include in the climate and culture section of the comprehensive school
16 improvement plan required under § 6-15-426 the school district's plan for
17 reducing the disciplinary rate and rate of disciplinary disparity.

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