

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: S3/19/13*  
**A Bill**

SENATE BILL 1147

5 By: Senator L. Chesterfield  
6

7 **For An Act To Be Entitled**

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

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12 **Subtitle**

13 TO EVALUATE THE IMPACT OF SCHOOL  
14 DISCIPLINE ON STUDENT ACHIEVEMENT.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. LEGISLATIVE FINDINGS. The General Assembly finds that:

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

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

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

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

31 (5) Disparity in discipline rates does not necessarily indicate  
32 discrimination; it can result from an ineffective school climate or from  
33 cultural strategies that are not successful in engaging the academic efforts  
34 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) A public school shall indicate on a student's attendance record if  
23 a student's absence is the result of an out-of school suspension.  
24

25 SECTION 6. Arkansas Code Title 6, Chapter 18, Subchapter 5, is amended  
26 to add an additional section to read as follows:

27 6-18-515. Effective school discipline.

28 (a) As used in this section:

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

34 (2) "Discipline measure" means:

35 (A) In-school suspension;

36 (B) Out-of-school suspension;

1 (C) Expulsion;

2 (D) Corporal punishment; and

3 (E) Referrals to law enforcement authorities;

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

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

9 (A) White students;

10 (B) Nonwhite students;

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

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

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

18 (i) Literacy benchmark assessments;

19 (ii) Mathematics benchmark assessments; or

20 (iii) End-of-course assessments.

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

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

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

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

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

32 (5) The disciplinary rate for each discipline measure for each  
33 subgroup; and

34 (6) The rate of disciplinary disparity for each discipline  
35 measure for each subgroup compared with the subgroup with the lowest  
36 disciplinary rate.

1 (c) The report shall also:

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

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

7 (C) The department may:

8 (i) Identify one (1) or more schools within a school  
9 district; and

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

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

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

18 (d) The department shall:

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

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

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

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

30 (A) The progress made for the year;

31 (B) Successful strategies that may be used by other school  
32 districts; and

33 (C) The corresponding gains, if any, in student academic  
34 achievement.

35 (e)(1) The department shall survey districts to determine which school  
36 districts are currently implementing evidence-based strategies, including

1 without limitation:

2 (A) Positive behavior interventions and support systems;

3 and

4 (B) Restorative justice.

5 (2) The department shall:

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

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

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

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