

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

SENATE BILL 538

5 By: Senator J. Sturch  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING OPEN-ENROLLMENT PUBLIC CHARTER  
9 SCHOOLS; TO AMEND PROVISIONS OF THE CODE WITH RESPECT  
10 TO OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL AND  
11 TRADITIONAL PUBLIC SCHOOL WAIVERS; TO AMEND  
12 PROVISIONS CONCERNING SCHOOLS OF INNOVATION; AND FOR  
13 OTHER PURPOSES.  
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## Subtitle

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18 TO AMEND PROVISIONS OF THE CODE WITH  
19 RESPECT TO OPEN-ENROLLMENT PUBLIC CHARTER  
20 SCHOOL AND TRADITIONAL PUBLIC SCHOOL  
21 WAIVERS; AND TO AMEND PROVISIONS  
22 CONCERNING SCHOOLS OF INNOVATION  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 6-15-103 is amended to read as follows:  
28 6-15-103. School district waivers.

29 (a) A public school district may petition the State Board of Education  
30 for all or some of the waivers granted to an open-enrollment public charter  
31 school ~~that draws students from the school district.~~

32 (b) The petition for all or some of the waivers granted to an open-  
33 enrollment public charter school that is submitted by a public school  
34 district shall include without limitation:

35 (1) The name of the open-enrollment public charter school that  
36 ~~draws students from the school district~~ has the requested waiver;



1 (2) A copy of the waivers granted to the open-enrollment public  
2 charter school; and

3 (3) A list of the waivers that the public school district seeks  
4 to have granted.

5 (c)(1) The state board shall grant, in whole or in part, or deny, in  
6 whole or in part, a petition for a waiver submitted by a public school  
7 district within ninety (90) days of receiving the petition.

8 (2) The state board shall notify the superintendent of the  
9 public school district in writing of the decision of the state board.

10 (3) A waiver that is granted to a public school district, in  
11 whole or in part, shall be valid for the duration approved by the state board  
12 not to exceed the duration that the ~~waivers are~~ waiver is valid for the open-  
13 enrollment charter school.

14 (4) A waiver under this section shall not be granted for a  
15 period of time exceeding five (5) years.

16 (d) The Department of Education may promulgate rules to implement this  
17 section.

18  
19 SECTION 2. Arkansas Code § 6-15-2801(1)(A), concerning qualification  
20 as a district of innovation, is amended to read as follows:

21 (A) ~~Developed~~ Submitted a school of innovation ~~plan~~  
22 application in compliance with § 6-15-2803;

23  
24 SECTION 3. Arkansas Code § 6-15-2802(a), concerning approval of a  
25 public school as a school of innovation, is amended to read as follows:

26 (a)(1) The Commissioner of Education may approve a public ~~school as a~~  
27 school's application to become a school of innovation for the purpose of  
28 transforming and improving the teaching and learning under § 6-15-2803.

29 (2) The Department of Education may designate a public school as  
30 a school of innovation under subdivision (a)(1) of this section if the public  
31 school has met the objectives outlined in the public school's application to  
32 become a school of innovation within the time period established in the  
33 public school's application.

34  
35 SECTION 4. Arkansas Code § 6-15-2802(b)(2), concerning the revocation  
36 of a public school's designation as a school of innovation, is amended to

1 read as follows:

2 (2) The commissioner may revoke ~~the a public school's~~ school of  
 3 innovation designation if a the public school fails to substantially fulfill  
 4 ~~the school's~~ the school of innovation plan as established in the public  
 5 school's school of innovation application, meet goals and performance  
 6 targets, or comply with applicable laws or rules.

7  
 8 SECTION 5. Arkansas Code § 6-15-2802(c)(1), concerning rules adopted  
 9 by the State Board of Education to administer provisions regarding a school  
 10 of innovation designation, is amended to read as follows:

11 (1) Rules subject to exemption or modification for a school of  
 12 innovation ~~plan~~ application if approved by the commissioner;

13  
 14 SECTION 6. Arkansas Code § 6-15-2803 is amended to read as follows:

15 6-15-2803. School of innovation ~~plan~~ application.

16 (a) A school district shall submit its school of innovation ~~plan~~  
 17 application, approved by the school district board of directors, to the  
 18 Commissioner of Education for approval to become a school of innovation.

19 (b) A school of innovation ~~plan~~ application shall address without  
 20 limitation:

21 (1) The goals and performance targets for the school of  
 22 innovation, which may include without limitation:

23 (A) Reducing the achievement gap among one (1) or more  
 24 groups of students by accelerating learning experiences for academically low-  
 25 achieving students while increasing all student learning through the  
 26 implementation of highly rigorous standards for student performance;

27 (B) Increasing student participation in curriculum  
 28 options;

29 (C) Exploring new avenues for expanding students' college  
 30 and career readiness;

31 (D) Motivating students by exploring innovative teaching  
 32 and learning choices; and

33 (E) Transforming a school's culture and climate in a  
 34 manner that will lead to transformative teaching and learning;

35 (2) Changes needed in the school that will lead to ~~better~~  
 36 ~~prepared~~ students who are better prepared for success in life and career; and

