

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1103

5 By: Representative Evans  
6 By: Senator L. Eads  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE  
10 CONCERNING ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES  
11 AND TRANSPORTATION; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 TO AMEND PROVISIONS OF THE ARKANSAS CODE  
16 CONCERNING ARKANSAS PUBLIC SCHOOL  
17 ACADEMIC FACILITIES AND TRANSPORTATION.  
18  
19

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

22 SECTION 1. Arkansas Code § 6-19-106 is amended to read as follows:  
23 6-19-106. Bus drivers – Qualifications.

24 A person who has been convicted within the past three (3) years of  
25 operating a motor vehicle in a reckless manner or while under the influence  
26 of intoxicating liquor or drugs or who is ~~less than~~ under nineteen (19) years  
27 of age on June 30 following his or her last birthday shall not be permitted  
28 or employed to operate ~~any~~ a school bus, either privately or publicly owned,  
29 operated by public school districts and used to transport pupils to and from  
30 the public schools in the State of Arkansas.  
31

32 SECTION 2. Arkansas Code § 6-19-108(b)-(e), concerning the  
33 certification of bus drivers, are amended to read as follows:

34 (b)(1) Upon successful completion and documentation of ~~training listed~~  
35 the training described in subdivision (a)(2)(C) of this section, a  
36 ~~certificate, valid for one (1) year, shall be issued by the division the~~



1 Division of Public School Academic Facilities and Transportation shall  
 2 certify the applicant as a school bus driver for a one-year period.

3 (2) Certification as a school bus driver by the Division of  
 4 Public School Academic Facilities and Transportation may be renewed annually.

5 (c)(1) A school bus driver shall not be employed as an operator of a  
 6 school bus to transport children to and from school or school-sponsored  
 7 activities unless he or she is certified as a school bus driver by the  
 8 division and has satisfactorily completed the in-service training required in  
 9 subsection (d) of this section ~~and possesses a current valid certificate~~  
 10 ~~therefor.~~

11 ~~The certificate~~ Certification as a bus driver by the  
 12 Division of Public School Academic Facilities and Transportation shall be  
 13 required in addition to a commercial driver's license and any additional  
 14 qualifications required by the school district board of directors.

15 (d) A school bus driver who seeks a annual renewal of his or her bus  
 16 driver ~~certificate~~ certification shall provide proof that he or she has  
 17 satisfactorily:

18 (1) Passed a physical examination given by a licensed physician  
 19 or advanced practice nurse within the previous two (2) years; and

20 (2) Completed in-service training for school bus drivers as  
 21 prescribed by the ~~division~~ Division of Public School Academic Facilities and  
 22 Transportation.

23 (e) A school district board of directors may provide a substitute  
 24 driver to operate a school bus on a temporary basis without ~~a certificate~~  
 25 certification until the next regularly scheduled school bus driver's  
 26 examination is held in the locality if:

27 (1) A ~~qualified~~ certified school bus driver is not available to  
 28 operate a the school bus due to death, resignation, disability, illness, or  
 29 other cause; and

30 (2) The school district board of directors is not able to  
 31 obtain a ~~qualified~~ certified school bus driver ~~with a certificate.~~

32  
 33 SECTION 3. Arkansas Code § 6-20-2507(b)(2)(B), concerning a school  
 34 district's application to participate in the Academic Facilities Partnership  
 35 Program and life cycle data, is amended to read as follows:

36 (B) The Division of Public School Academic Facilities and

1 Transportation shall require ~~independent proof of the failure of the~~  
 2 ~~equipment~~ proof of the need to replace the equipment or other item.

3  
 4 SECTION 4. Arkansas Code § 6-20-2507(c)(1)(G), concerning a school  
 5 district's application to participate in the Academic Facilities Partnership  
 6 Program and life cycle data, is amended to read as follows:

7 (G) Regularly scheduled and unscheduled maintenance,  
 8 repair, and renovation as documented in the Computerized Maintenance  
 9 Management System;

10  
 11 SECTION 5. Arkansas Code § 6-20-2507(c)(2)(G), concerning the Academic  
 12 Facilities Partnership Program and life cycle data, is amended to read as  
 13 follows:

14 (G) Regularly scheduled and unscheduled maintenance,  
 15 repair, and renovation as documented in the Computerized Maintenance  
 16 Management System;

17  
 18 SECTION 6. Arkansas Code § 6-21-806(c), concerning schools districts  
 19 that participate in the Academic Facilities Master Plan Program and the  
 20 preliminary facilities master plan, is amended to read as follows:

21 ~~(c)(1) The division shall establish procedures and timelines for a~~  
 22 ~~school district to submit a preliminary facilities master plan or a master~~  
 23 ~~plan outline to the division before the submission of the school district's~~  
 24 ~~final facilities master plan.~~

25 ~~(2) The preliminary facilities master plan or master plan~~  
 26 ~~outline shall form the basis for a~~ A ~~consultation meeting between~~  
 27 ~~representatives of the school district and members of the division~~ to discuss  
 28 the development of the school district's facilities master plan shall be held  
 29 upon request of the school district.

30 ~~(3) As soon as practicable after submission of the preliminary~~  
 31 ~~facilities master plan or master plan outline, the division shall hold the~~  
 32 ~~consultation meeting with the school district to:~~

33 ~~(A) Assure understanding of the general goals of this~~  
 34 ~~subchapter and the criteria by which projects will be evaluated;~~

35 ~~(B) Discuss ways the facilities master plan may be~~  
 36 ~~structured to meet the goals of this subchapter;~~

1                   ~~(C) Assist school districts to prepare accurate budgets~~  
 2 ~~and reasonable project schedules; and~~

3                   ~~(D) Provide for efficiency and productivity in the~~  
 4 ~~approval process for local academic facilities projects and state financial~~  
 5 ~~participation in local projects.~~

6  
 7           SECTION 7. Arkansas Code § 6-21-816(e)(1) and (2), concerning the sale  
 8 or lease of public school facilities and petitions submitted to the Division  
 9 of Public School Academic Facilities and Transportation for a waiver, are  
 10 amended to read as follows:

11           ~~(e)(1)(A)~~ If the division receives a petition under subsection (d) of  
 12 this section, the division, within five (5) days after receiving the  
 13 petition, shall notify each eligible entity granted a charter under the  
 14 Arkansas Quality Charter Schools Act of 2013, § 6-23-101 et seq., and each  
 15 statewide organization representing charter schools in ~~Arkansas by certified~~  
 16 mail this state of the petition ~~by:-~~

17                   ~~(A) Posting the petition on the division's website; and~~

18                   ~~(B) The notice under subdivision (e)(1)(A) of this section~~  
 19 ~~shall include a copy of the petition~~ Sending a copy of the petition to each  
 20 eligible entity and statewide organization representing charter schools by  
 21 email.

22           (2) Not later than thirty (30) days after the division provides  
 23 the notification required under subdivision (e)(1) of this section ~~an~~  
 24 ~~eligible entity granted a charter under the Arkansas Quality Charter Schools~~  
 25 ~~Act of 2013, § 6-23-101 et seq., or statewide organization representing~~  
 26 ~~charter schools in Arkansas receives a notice described in subdivision~~  
 27 ~~(e)(1)(A) of this section, the~~ an eligible entity or a statewide organization  
 28 representing charter schools may submit to the division an objection in  
 29 writing to the petition.