

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

A Bill

HOUSE BILL 1863

5 By: Representative J. Mayberry
6

For An Act To Be Entitled

8 AN ACT TO CREATE THE PUBLIC SCHOOL AMERICANS WITH
9 DISABILITIES ACT COMPLIANCE COMMITTEE; AND FOR OTHER
10 PURPOSES.
11

Subtitle

12
13 TO CREATE THE PUBLIC SCHOOL AMERICANS
14 WITH DISABILITIES ACT COMPLIANCE
15 COMMITTEE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 6, Chapter 21, Subchapter 8, is amended
22 to add an additional section to read as follows:

23 6-21-817. Public School Americans with Disabilities Act Compliance
24 Committee.

25 (a) There is created the Public School ADA Compliance Committee.

26 (b) The committee shall be composed of six (6) members as follows:

27 (1) One (1) member from the Building Authority Division;

28 (2) One (1) member from the Division of Public School Academic
29 Facilities and Transportation;

30 (3) One (1) member from the State Fire Marshall Office of the
31 Division of Arkansas State Police;

32 (4) One (1) member from the Division of Elementary and
33 Secondary Education;

34 (5) One (1) member from the Arkansas Association of Educational
35 Administrators; and

36 (6) One (1) member from the Arkansas Public School Research



1 Center, Inc.

2 (c) By February 1, 2024, all public school districts shall include the
 3 following in the facilities master plan as required under § 6-21-806:

4 (1)(A) An assessment of all public school facilities with
 5 respect to compliance with the Americans with Disabilities Act of 1990, Pub.
 6 L. No. 101-336.

7 (B) The assessment of public school facilities required
 8 under subdivision (c)(1)(A) of this section shall include an emphasis on
 9 public school buildings constructed before 2004.

10 (C) A public school district may appoint an individual or
 11 entity to conduct the assessment required under subdivision (c)(1)(A) of this
 12 section; and

13 (2) A transition plan establishing the steps necessary to
 14 complete changes to public school facilities in order to ensure compliance
 15 with the Americans with Disabilities Act of 1990, Pub. L. No. 101-336.

16 (d) By February 1, 2024, each open-enrollment public charter school
 17 shall submit:

18 (1)(A) An assessment of all open-enrollment public school
 19 facilities with respect to compliance with the Americans with Disabilities
 20 Act of 1990, Pub. L. No. 101-336.

21 (B) The assessment of open-enrollment public charter
 22 school facilities required under this subdivision (d)(1) shall include an
 23 emphasis on open-enrollment public charter school buildings constructed
 24 before 2004.

25 (C) An open-enrollment public charter school may appoint
 26 an individual or entity to conduct the assessment required under this
 27 subdivision (d)(1); and

28 (2) A transition plan establishing the steps necessary to
 29 complete changes to open-enrollment public charter school facilities in order
 30 to ensure compliance with the Americans with Disabilities Act of 1990, Pub.
 31 L. No. 101-336.

32 (e) The duties of the committee include the following without
 33 limitation:

34 (1) Establishing guidelines to assist public school districts
 35 and open-enrollment public charter schools in the process of conducting
 36 assessments of public school buildings as required under subdivision

1 (c)(1)(A) of this section; and

2 (2)(A) Providing an online professional learning course for
3 public school districts and open-enrollment public charter schools to use in
4 the process of conducting assessments of public school buildings as required
5 under subdivision (c)(1)(A) of this section.

6 (B) The online professional learning course under
7 subdivision (d)(2)(A) of this section shall be provided by May 1, 2022.

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