

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

# A Bill

SENATE BILL 264

5 By: Senator Irvin  
6

## For An Act To Be Entitled

8 AN ACT RENAMING THE CORRECTIONAL SCHOOL SYSTEM  
9 OPERATED BY THE DIVISION OF CORRECTION THE "ARKANSAS  
10 CORRECTIONAL SCHOOL DISTRICT"; AND FOR OTHER  
11 PURPOSES.  
12  
13

## Subtitle

14 RENAMING THE CORRECTIONAL SCHOOL SYSTEM  
15 OPERATED BY THE DIVISION OF CORRECTION  
16 THE "ARKANSAS CORRECTIONAL SCHOOL  
17 DISTRICT".  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 6-16-149(c), concerning the requirement  
24 that certain students take a United States citizenship civics test, is  
25 amended to read as follows:

26 (c) The requirement under subsection (a) of this section shall not  
27 apply to a student who:

28 (1) Is exempted in accordance with the student's individualized  
29 education program;

30 (2) Attends school in the ~~Corrections School System~~ Arkansas  
31 Correctional School District under § 12-29-301 et seq.; or

32 (3) Is over eighteen (18) years of age and seeking a high school  
33 equivalency diploma.  
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35 SECTION 2. Arkansas Code § 6-82-501(6), concerning the definition of  
36 "state correction employee" used with regard to children of law enforcement



1 officers who are eligible for scholarships, is amended to read as follows:

2 (6) "State correction employee" means any employee of the  
3 Division of Correction or the ~~Corrections School System~~ Arkansas Correctional  
4 School District who becomes subject to injury through contact with inmates or  
5 parolees of the Division of Correction;

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7 SECTION 3. Arkansas Code § 12-27-104(d)(1)(B), concerning  
8 reimbursements and stipends for a member of the Board of Corrections, is  
9 amended to read as follows:

10 (B) However, a member shall receive a per diem stipend and  
11 reimbursement for expenses for both official meetings and related activities  
12 associated with attending to the business of the Board of Corrections, the  
13 Division of Correction, the Division of Community Correction, and the  
14 ~~Corrections School System~~ Arkansas Correctional School District for up to an  
15 annual average of seven (7) days per month.

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17 SECTION 4. Arkansas Code § 12-28-101(a)(3), concerning facilities  
18 operated by the Division of Correction, is amended to read as follows:

19 (3) The division may contract with state or private entities such as  
20 accredited colleges or universities to provide additional educational  
21 opportunities for inmates under the direction and authority of the board and  
22 the ~~Corrections School System~~ Arkansas Correctional School District.

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24 SECTION 5. Arkansas Code § 12-29-301 is amended to read as follows:  
25 12-29-301. School ~~system~~ district created.

26 (a) Properties owned by the State of Arkansas and occupied by the  
27 various units of the Division of Correction and the Division of Community  
28 Correction are by this subchapter designated as a qualified school district  
29 to be known as the "~~Corrections School System~~" "Arkansas Correctional School  
30 District".

31 (b) The ~~system~~ district is created for the purpose of providing  
32 elementary, secondary, and vocational and technical education to qualified  
33 persons incarcerated in facilities of the Division of Correction and the  
34 Division of Community Correction or to qualified persons supervised by the  
35 Division of Community Correction, including those on probation and parole or  
36 any type of post-prison release or transfer who are not high school

1 graduates, irrespective of age.

2 (c) The Board of Corrections shall act as the Board of Directors of  
3 the ~~Corrections School System~~ Arkansas Correctional School District.

4 (d)(1) The ~~system's~~ district's chief administrative officer shall be  
5 under the direct authority of the Board of Directors of the ~~Corrections~~  
6 ~~School System~~ Arkansas Correctional School District.

7 (2) Subject to the approval of the Board of Directors of the  
8 ~~Corrections School System~~ Arkansas Correctional School District, the chief  
9 administrative officer or superintendent of the ~~system~~ district shall have  
10 supervisory authority over the employees of the ~~system~~ district, including,  
11 but not limited to, assistant superintendents, principals, and teachers.

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13 SECTION 6. Arkansas Code § 12-29-304 is amended to read as follows:

14 12-29-304. Costs and funding.

15 (a) The cost of implementing and operating the ~~Corrections School~~  
16 ~~System~~ Arkansas Correctional School District shall be borne by the state and  
17 shall be paid from funds appropriated by the General Assembly from the  
18 general revenues of the state to the Division of Correction, the Division of  
19 Community Correction, and the Division of Elementary and Secondary Education,  
20 together with any federal funds that may be available for that purpose and  
21 from any funds generated from the operations of the Division of Correction  
22 and the Division of Community Correction, in the following manner:

23 (1) The cost of facilities, equipment, and current operation in  
24 excess of the amount of grants and aids received from the Division of  
25 Elementary and Secondary Education shall be borne by the Division of  
26 Correction and the Division of Community Correction as approved by the Board  
27 of Corrections; and

28 (2)(A) The ~~system~~ district, as other school districts in the  
29 state, shall share in the distribution of grants and aids from the Division  
30 of Elementary and Secondary Education.

31 (B) However, in no case shall the moneys from the Public  
32 School Fund to the ~~system~~ district be in excess of the line item  
33 appropriation provided to the ~~system~~ district in the fund.

34 (b)(1) Recognizing that the primary roles, duties, and  
35 responsibilities of the Division of Correction and the Division of Community  
36 Correction are to serve as penal and correctional institutions, the ~~system~~

1 district shall be exempt from and shall not be penalized in any manner for  
2 not complying with:

3 (A) All of the following:

4 (i) The Quality Education Act of 2003, § 6-15-201 et  
5 seq.;

6 (ii) ~~The Arkansas Comprehensive Testing, Assessment,~~  
7 ~~and Accountability Program Act, § 6-15-401 et seq.~~ Arkansas Educational  
8 Support and Accountability Act, § 6-15-2901 et seq.;

9 (iii) Sections 6-15-901, 6-15-902, 6-15-2001 – 6-15-  
10 2008, 6-15-2101 – 6-15-2107, ~~6-15-2201~~, 6-15-2301, and 6-16-1201 – 6-16-1206;

11 (iv) The Arkansas Fiscal Assessment and  
12 Accountability Program, § 6-20-1901 et seq.; and

13 (v) The Arkansas Educational Financial Accounting  
14 and Reporting Act of 2004, § 6-20-2201 et seq.;

15 (B) Any state laws or rules adopted to comply with the  
16 federal Elementary and Secondary Education Act as reauthorized under the No  
17 Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., as in existence on  
18 January 1, 2005; and

19 (C) Any rule of the State Board of Education related to  
20 the provisions listed in this subdivision (b)(1).

21 (2) The ~~system's~~ district's exemption from or noncompliance with  
22 the provisions under this subsection shall not affect the ~~system's, the~~  
23 ~~Division of Correction's, or the Division of Community Correction's~~  
24 eligibility of the district, the Division of Correction, and the Division of  
25 Community Correction to apply for or receive state grants or aids for public  
26 school districts as authorized in this subchapter and related rules.

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28 SECTION 7. Arkansas Code § 12-29-310(b), concerning the administration  
29 of the Riverside Vocational and Technical School, is amended to read as  
30 follows:

31 (b) The school shall be administered under the direction and  
32 supervision of the chief administrative officer of the ~~Corrections School~~  
33 ~~System~~ Arkansas Correctional School District or the Director of the Riverside  
34 Vocational and Technical School under the direct authority of the Board of  
35 Directors of the ~~Corrections School System~~ Arkansas Correctional School  
36 District.

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2 SECTION 8. Arkansas Code § 21-5-701(10), concerning the definition of  
3 "state correction employee" as used with regard to death benefits for public  
4 officers or employees, is amended to read as follows:

5 (10) "State correction employee" means an employee of the  
6 Division of Correction or the ~~Corrections School System~~ Arkansas Correctional  
7 School District who is subject to injury through contact with inmates or  
8 parolees of the Division of Correction;

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10 SECTION 9. Arkansas Code § 25-43-402(a), concerning state entities  
11 transferred to the Department of Corrections, is amended to read as follows:

12 (a) The administrative functions of the following state entities are  
13 transferred to the Department of Corrections by a cabinet-level department  
14 transfer:

15 (1) The Arkansas Sentencing Commission, created under § 16-90-  
16 802;

17 (2) The ~~Corrections School System~~ Arkansas Correctional School  
18 District, created under § 12-29-301;

19 (3) The criminal detention facility review committees, ~~under §~~  
20 ~~12-26-101~~ created under § 12-26-105;

21 (4) The Department of Community Correction, created under ~~§ 12-~~  
22 ~~27-124~~ § 12-27-125, and now to be known as the "Division of Community  
23 Correction";

24 (5) The Department of Correction, created under § 12-27-101, and  
25 now to be known as the "Division of Correction";

26 (6) The Office of Criminal Detention Facilities Review  
27 Coordinator, created under § 12-26-103;

28 (7) The Parole Board, created under § 16-93-201; and

29 (8) The Arkansas State Council for the Interstate Commission for  
30 Adult Offender Supervision, created under § 12-51-104.

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