

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

A Bill

SENATE BILL 562

4
5 By: Senator J. English
6 By: Representative Cozart

For An Act To Be Entitled

9 AN ACT TO AMEND OR REPEAL OBSOLETE LAWS CONCERNING
10 PUBLIC EDUCATION; AND FOR OTHER PURPOSES.

Subtitle

14 TO AMEND OR REPEAL OBSOLETE LAWS
15 CONCERNING PUBLIC EDUCATION.

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19
20 SECTION 1. Arkansas Code § 6-15-2011 is repealed.

21 ~~6-15-2011. Supplemental Educational Services Transparency Act.~~

22 ~~(a) This section shall be known and may be cited as the "Supplemental~~
23 ~~Educational Services Transparency Act".~~

24 ~~(b) The purposes of this section are to:~~

25 ~~(1) Increase academic performance of students and reduce student~~
26 ~~remediation rates;~~

27 ~~(2) Ensure that students who qualify for supplemental~~
28 ~~educational services receive the services they need;~~

29 ~~(3) Assist parents in making informed decisions when selecting~~
30 ~~supplemental educational service providers; and~~

31 ~~(4) Assist policy makers in reviewing the effectiveness of the~~
32 ~~supplemental educational service providers.~~

33 ~~(c) As used in this section:~~

34 ~~(1) "Provider" means a person or entity that:~~

35 ~~(A) Provides supplemental educational services to Arkansas~~
36 ~~public school students; and~~



1 ~~(B) Is identified on the list of approved supplemental~~
2 ~~educational service providers published by the Department of Education; and~~

3 ~~(2)(A) “Supplemental educational services” means academic~~
4 ~~instruction;~~

5 ~~(i) Provided to public school students in addition~~
6 ~~to the instruction provided during a school day; and~~

7 ~~(ii) Designed to increase the academic achievement~~
8 ~~of students enrolled in public schools that have been identified as being in~~
9 ~~year two (2) or higher of school improvement.~~

10 ~~(B) “Supplemental educational services” includes without~~
11 ~~limitation academic assistance such as tutoring, remediation, and other~~
12 ~~supplemental academic enrichment services that are:~~

13 ~~(i) Consistent with the content and instruction used~~
14 ~~by the school district where the provider’s students are enrolled; and~~

15 ~~(ii) Aligned with the state’s academic content and~~
16 ~~achievement standards.~~

17 ~~(d)(1) A provider shall prepare an annual report and:~~

18 ~~(A) Submit the annual report to the department and to the~~
19 ~~school district where the supplemental educational services are provided; and~~

20 ~~(B) Place a copy of the annual report on the provider’s~~
21 ~~website.~~

22 ~~(2) The report shall include without limitation the following~~
23 ~~information:~~

24 ~~(A) By race and gender, the improvement in student~~
25 ~~achievement for each student served based on the statewide benchmark tests or~~
26 ~~other statewide assessment of student achievement;~~

27 ~~(B) Student attendance rates;~~

28 ~~(C) The amount of funds the provider received per student;~~

29 ~~(D) By school district, the total number of supplemental~~
30 ~~educational services contracts and the total amount of funds received under~~
31 ~~those contracts;~~

32 ~~(E) The total number of years supplemental educational~~
33 ~~services have been provided and the total number of students served for all~~
34 ~~years; and~~

35 ~~(F) The results of parent satisfaction surveys.~~

36 ~~(e) A school district shall include the provider’s report on the~~

1 ~~school district's website.~~

2 ~~(f)(1) Annually, the department shall review the report of a provider~~
3 ~~before placing the provider on the department's list of state-approved~~
4 ~~providers.~~

5 ~~(2) The department shall include a link for parents to access~~
6 ~~information concerning approved providers on its website.~~

7 ~~(g) By January 15, 2012, and by January 15 of each year thereafter, a~~
8 ~~provider of supplemental educational services shall also prepare an annual~~
9 ~~progress report containing at least the information required under subsection~~
10 ~~(d) of this section to the House Committee on Education and the Senate~~
11 ~~Committee on Education.~~

12 ~~(h) The State Board of Education shall promulgate rules to implement~~
13 ~~this section.~~

14
15 SECTION 2. Arkansas Code § 6-16-131 is repealed.

16 ~~6-16-131. Future art and music teachers pilot program.~~

17 ~~(a) By no later than June 1, 2002, the Department of Education shall~~
18 ~~develop and implement a Future Art and Music Teachers Pilot Program.~~

19 ~~(b) The program shall provide in at least six (6) schools in the state~~
20 ~~a program through which students in grades eleven (11) and twelve (12) may~~
21 ~~provide visual art and music instruction to students in grades kindergarten~~
22 ~~through six (K-6).~~

23
24 SECTION 3. Arkansas Code §§ 6-16-1002 and 6-16-1003 are repealed.

25 ~~6-16-1002. Implementation.~~

26 ~~(a) Within six (6) months of August 13, 2001, the Department of~~
27 ~~Health, in consultation with the Department of Education, shall:~~

28 ~~(1) Develop a comprehensive set of criteria for establishing a~~
29 ~~Kids For Health program;~~

30 ~~(2) Develop a grant program under which school districts may~~
31 ~~apply for grants to design and implement local Kids For Health programs;~~

32 ~~(3) Inform all public schools in Arkansas of the availability of~~
33 ~~funds for Kids For Health programs; and~~

34 ~~(4) Develop a plan for monitoring and auditing Kids For Health~~
35 ~~programs.~~

36 ~~(b)(1) For purposes of this subchapter, "Kids For Health program"~~

1 ~~means an educational program substantially similar to the Kids For Health~~
2 ~~program already operating in Washington County under the sponsorship of the~~
3 ~~Washington Regional Medical Center.~~

4 ~~(2) Each school district may design a Kids For Health program~~
5 ~~appropriate to that school district, but each Kids For Health program shall~~
6 ~~include the study of general health issues, the study of tobacco and drug~~
7 ~~abuse prevention and cessation, direct student involvement in health-related~~
8 ~~activities, attention to self-esteem, body systems and functions, nutrition~~
9 ~~and fitness, hygiene and safety, community health, and pretesting and~~
10 ~~posttesting to determine the effectiveness of the local program.~~

11
12 ~~6-16-1003. Oral health standards.~~

13 ~~(a) The Department of Education shall adopt oral health standards as~~
14 ~~part of the Arkansas physical education and health curriculum framework.~~

15 ~~(b) The Department of Education shall work with public schools to~~
16 ~~establish an educational program to inform, train, and educate students~~
17 ~~concerning the importance of achieving and maintaining good oral health.~~

18 ~~(c) Curricula shall be designed according to objectives established by~~
19 ~~the Department of Education.~~

20 ~~(d) The objectives shall be grade-specific and shall be incorporated~~
21 ~~into the appropriate existing health and science curricula.~~

22 ~~(e) It is the intent of this section that the curricula shall be~~
23 ~~implemented gradually, on a basis to be determined by the Department of~~
24 ~~Education, beginning no later than the fall semester 2005 with early~~
25 ~~elementary curricula and reaching full implementation at the high school~~
26 ~~level no later than the fall semester of 2011.~~

27 ~~(f) The Department of Education shall enlist the voluntary assistance~~
28 ~~of appropriate dental health professionals, organizations, and departments as~~
29 ~~necessary to achieve the purposes of this section.~~

30
31 SECTION 4. Arkansas Code § 6-16-1301 is repealed.

32 ~~6-16-1301. End of Course Success Incentive Program.~~

33 ~~(a)(1) The End of Course Success Incentive Program is established, to~~
34 ~~be administered by the Commissioner of Education.~~

35 ~~(2) Contingent upon legislative appropriations, schools will be~~
36 ~~awarded fifty dollars (\$50.00) for each student passing the end-of-course~~

1 ~~assessment on his or her first attempt.~~

2 ~~(3) These funds shall be utilized in the schools to improve~~
 3 ~~student academic performance.~~

4 ~~(b) Subject to legislative appropriations, a teacher teaching a course~~
 5 ~~that has a state required end-of-course assessment may be awarded subsidized~~
 6 ~~teacher training for that particular course at a cost not to exceed six~~
 7 ~~hundred fifty dollars (\$650) per teacher.~~

8 ~~(c) The provisions of this section shall be contingent on the~~
 9 ~~appropriation and availability of funding for that purpose.~~

10 ~~(d) The State Board of Education is authorized to promulgate rules~~
 11 ~~necessary to implement this subchapter.~~

12
 13 SECTION 5. Arkansas Code § 6-19-124 is repealed.

14 ~~6-19-124. Mobile Learning Technology Pilot Program.~~

15 ~~(a) The General Assembly finds that:~~

16 ~~(1) In rural areas of the state, public school students may~~
 17 ~~spend hours of unproductive time on the school bus being transported to and~~
 18 ~~from school;~~

19 ~~(2) The state has a critical need to increase its workforce in~~
 20 ~~the fields of science, technology, engineering, and mathematics for national~~
 21 ~~and global economic competitiveness;~~

22 ~~(3) Long, unproductive bus commutes are transformed into~~
 23 ~~productive learning environments in the fields of mathematics and science~~
 24 ~~through the use of mobile learning technology and the accompanying~~
 25 ~~personalized learning experiences; and~~

26 ~~(4) A statewide pilot program using mobile learning technology~~
 27 ~~will develop untapped talent for the science, technology, engineering, and~~
 28 ~~mathematics workforce.~~

29 ~~(b)(1) The Mobile Learning Technology Pilot Program is created as a~~
 30 ~~three-year pilot program to provide the mobile learning technology under this~~
 31 ~~section to a total of up to twenty five (25) public school districts.~~

32 ~~(2) Each congressional district in the state may have up to five~~
 33 ~~(5) public school districts participating in the pilot program.~~

34 ~~(c) The Department of Education shall begin the pilot program with the~~
 35 ~~2010-2011 school year and continue the pilot program through the end of the~~
 36 ~~2012-2013 school year.~~

1 ~~(d)(1) Each public school district participating in the pilot program~~
2 ~~shall equip up to three (3) school buses with wireless Internet service and~~
3 ~~purchase or obtain the following technology:~~

4 ~~(A) Fifteen (15) laptop computers;~~

5 ~~(B) Forty (40) portable devices for storing video files;~~

6 ~~(C) Two (2) sets of media screens; and~~

7 ~~(D) Math and science software for use with the laptop~~
8 ~~computers and video portable devices for storing video files.~~

9 ~~(2) The public school district may use foundation funding~~
10 ~~provided for technology or other funding sources for purchases made under~~
11 ~~this subsection.~~

12 ~~(e) The pilot program also shall provide:~~

13 ~~(1) For each public school district participating in the pilot~~
14 ~~program, a community classroom teacher who is available for student questions~~
15 ~~and meets with pilot students weekly in a community classroom environment;~~

16 ~~(2) Partnerships with institutions of higher education, the~~
17 ~~school district community, and corporate entities that will expose the pilot~~
18 ~~students to careers and professionals in the fields of science, technology,~~
19 ~~engineering, and mathematics;~~

20 ~~(3) Measurements of specified outcomes, including without~~
21 ~~limitation:~~

22 ~~(A) The number and types of courses completed by pilot~~
23 ~~students;~~

24 ~~(B) The number and types of Advanced Placement courses~~
25 ~~completed by the pilot students and the Advanced Placement examination~~
26 ~~scores; and~~

27 ~~(C) The results of Arkansas benchmark assessments for the~~
28 ~~pilot students;~~

29 ~~(4) A comparison of the state benchmark assessments in pilot and~~
30 ~~nonpilot public school districts; and~~

31 ~~(5) A survey of the pilot students' interests in careers and~~
32 ~~courses of study in science, technology, engineering, and mathematics fields.~~

33 ~~(f) As funds are appropriated and available, the department may hire~~
34 ~~consultants or experts with the knowledge of and appropriate experience with~~
35 ~~mobile learning technology for use on school buses as well as other~~
36 ~~qualifications established by the department.~~

1 ~~(g)(1) At the end of the three year period, the department or its~~
2 ~~consultants or experts shall prepare an evaluation of the pilot program and~~
3 ~~report on the evaluation to the House Committee on Education and to the~~
4 ~~Senate Committee on Education.~~

5 ~~(2) Consultants or experts hired by the department shall be~~
6 ~~available to answer questions or provide information as requested by the~~
7 ~~House Committee on Education and the Senate Committee on Education.~~

8
9 SECTION 6. Arkansas Code § 6-19-128 is repealed.

10 ~~6-19-128. Compressed Natural Gas School Bus Pilot Program.~~

11 ~~(a) As used in this section:~~

12 ~~(1) "Compressed natural gas" means a fossil fuel substitute for~~
13 ~~gasoline, diesel fuel, propane, or liquid propane gas that is:~~

14 ~~(A) Composed primarily of methane; and~~

15 ~~(B) Compressed to less than one percent (1%) of the volume~~
16 ~~it occupies at standard atmospheric pressure;~~

17 ~~(2) "Compressed natural gas school bus" means a school bus~~
18 ~~powered by compressed natural gas that is not owned by a school district~~
19 ~~before its participation in the Compressed Natural Gas School Bus Pilot~~
20 ~~Program; and~~

21 ~~(3) "Qualified applicant" means a school district that applies~~
22 ~~to the Compressed Natural Gas School Bus Pilot Program and that meets the~~
23 ~~qualifications under subsection (c) of this section.~~

24 ~~(b)(1) The Compressed Natural Gas School Bus Pilot Program is created~~
25 ~~for the 2014 and 2015 fiscal years to provide compressed natural gas school~~
26 ~~buses to four (4) public school districts.~~

27 ~~(2) Each congressional district in the state may have one (1)~~
28 ~~public school district participating in the program.~~

29 ~~(3) Each school district in the state may apply to become a~~
30 ~~participating school district in the program.~~

31 ~~(4) If more than one (1) school district from a congressional~~
32 ~~district applies to the program, the participating district will be selected~~
33 ~~by random drawing from all qualified applicants submitted for a congressional~~
34 ~~district.~~

35 ~~(5) The Division of Public School Academic Facilities and~~
36 ~~Transportation shall run the program for its term.~~

1 ~~(c)(1)(A) Each public school district participating in the program~~
2 ~~shall be provided ten (10) compressed natural gas school buses.~~

3 ~~(B) The school buses provided under the program shall be~~
4 ~~purchased by the division based upon specifications and requirements~~
5 ~~determined by the division.~~

6 ~~(2) To qualify for the grant under subdivision (c)(1) of this~~
7 ~~section, each public school district seeking to participate in the program~~
8 ~~shall submit an application in the form and manner established by the~~
9 ~~division setting forth that the applicant:~~

10 ~~(A)(i) Agrees to purchase ten (10) compressed natural gas~~
11 ~~school buses in addition to those provided under subdivision (c)(1) of this~~
12 ~~section before June 30, 2015.~~

13 ~~(ii) The compressed natural gas school buses to be~~
14 ~~purchased by the participating district shall meet or exceed:~~

15 ~~(a) The specifications and requirements of the~~
16 ~~compressed natural gas school buses provided by the division; and~~

17 ~~(b) Applicable provisions of the rules of the~~
18 ~~Commission for Arkansas Public School Academic Facilities and Transportation,~~
19 ~~as they existed on January 1, 2013;~~

20 ~~(B) Either:~~

21 ~~(i) Has reasonable access to refueling options to~~
22 ~~allow for efficient use of the compressed natural gas school buses; or~~

23 ~~(ii) Agrees, if the proposal calls for the~~
24 ~~construction of a new refueling station, to provide access to the refueling~~
25 ~~station to the general public; and~~

26 ~~(C) Has sufficient resources to purchase, operate, and~~
27 ~~maintain the compressed natural gas school buses under this section,~~
28 ~~including information demonstrating that purchase, operation, and maintenance~~
29 ~~will not cause a financial hardship on the applicant.~~

30 ~~(3) In addition to the requirements for qualifying applicants~~
31 ~~under subdivision (c)(2) of this section, the division is authorized to~~
32 ~~develop and require compliance with additional qualifications it deems~~
33 ~~necessary.~~

34 ~~(d) The division may promulgate rules to administer the program.~~
35

36 SECTION 7. Arkansas Code § 6-21-406 is amended to read as follows:

1 6-21-406. Conditions for offering textbooks for adoption, sale, or
2 exchange.

3 ~~(a)(1) As used in this subsection, "person" means an individual, a~~
4 ~~partnership, a corporation, a company, or an association.~~

5 ~~(2) Before a person may offer instructional materials used in~~
6 ~~kindergarten through grade twelve (K-12), inclusive, for adoption, sale, or~~
7 ~~exchange in the State of Arkansas, the person shall, by June 30 of each year,~~
8 ~~submit to the Department of Education a certified list of:~~

9 ~~(A) All state contracts made during the state fiscal year~~
10 ~~just ended on all instructional materials the publisher sold in this state~~
11 ~~during the state fiscal year just ended; and~~

12 ~~(B) Instructional materials sold to each school district~~
13 ~~in Arkansas, including the price of each instructional material.~~

14 ~~(b) All publishers doing business in Arkansas shall maintain one (1)~~
15 ~~or more book depositories at the publisher's expense in this state.~~

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18 **APPROVED: 04/05/2017**
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