

State of Arkansas
92nd General Assembly
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As Engrossed: H3/27/19

A Bill

SENATE BILL 538

By: Senator J. Sturch

For An Act To Be Entitled

AN ACT CONCERNING OPEN-ENROLLMENT PUBLIC CHARTER SCHOOLS; TO AMEND PROVISIONS OF THE CODE WITH RESPECT TO OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL AND TRADITIONAL PUBLIC SCHOOL WAIVERS; TO AMEND PROVISIONS CONCERNING SCHOOLS OF INNOVATION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND PROVISIONS OF THE CODE WITH RESPECT TO OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL AND TRADITIONAL PUBLIC SCHOOL WAIVERS; AND TO AMEND PROVISIONS CONCERNING SCHOOLS OF INNOVATION.

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

SECTION 1. Arkansas Code § 6-15-103 is amended to read as follows:

6-15-103. School district waivers.

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

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

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

(2) A copy of the waivers granted to the open-enrollment public



charter school; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Increasing student participation in curriculum options;

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

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

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

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

(3) Innovative practices to be used in the school of innovation.

- (c) Schools of innovation shall document ~~the~~:
- (1) Parental, school employee, and community engagement;
 - (2) ~~Capacity~~ The capacity for the proposed school of innovation;
 - (3) ~~Rationale~~ The rationale for law, rule, and local policy exception requests;
 - (4) Progress toward goals and performance targets; and
 - (5) Other information requested by the commissioner.

SECTION 7. Arkansas Code § 6-23-401(b), concerning prohibitions, restrictions, and requirements imposed upon an open-enrollment public charter school by the State Board of Education with respect to certain topics, is amended to add an additional subdivision to read as follows:

(7) Reporting through the Arkansas Public School Computer Network applications as provided under Title 6.

/s/J. Sturch

APPROVED: 4/9/19