

Stricken language would be deleted from and underlined language would be added to present law.  
Act 987 of the Regular Session

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H4/19/21  
**A Bill**

HOUSE BILL 1863

By: Representative J. Mayberry  
By: Senator J. Sturch

### For An Act To Be Entitled

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

### Subtitle

TO CREATE THE PUBLIC SCHOOL AMERICANS  
WITH DISABILITIES ACT COMPLIANCE  
COMMITTEE.

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

SECTION 1. Arkansas Code Title 6, Chapter 21, Subchapter 8, is amended  
to add an additional section to read as follows:

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

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

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

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

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

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

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

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



(6) One (1) member from the Arkansas Public School Resource Center, Inc.

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

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

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

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

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

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

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

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

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

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

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

(1) Establishing guidelines to assist public school districts and open-enrollment public charter schools in the process of conducting

assessments of public school buildings as required under subdivision (c)(1)(A) of this section; and

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

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

*/s/J. Mayberry*

**APPROVED: 4/28/21**