

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

HOUSE BILL 1734

By: Representatives Williams, Vines

## For An Act To Be Entitled

AN ACT TO REPEAL OR AMEND OBSOLETE LANGUAGE IN  
ARKANSAS CODE TITLE 6 CONCERNING PUBLIC EDUCATION;  
AND FOR OTHER PURPOSES.

## Subtitle

TO REPEAL OR AMEND OBSOLETE LANGUAGE IN  
ARKANSAS CODE TITLE 6 CONCERNING PUBLIC  
EDUCATION.

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

SECTION 1. Arkansas Code § 6-1-101(a), concerning the audits of publicly funded educational institutions, is amended to move language from § 6-12-112 repealed under Section 3 of this act and add an additional subdivision, to read as follows:

(a)(1) The An audit of ~~every~~ a publicly funded educational institution shall be performed by the Division of Legislative Audit or other independent person licensed to practice accounting by the Arkansas State Board of Public Accountancy ~~to be~~ selected by the governing body of the educational institution.

(2) In cases of undue demands upon the division for these audits, the division may charge a fee for the service rendered that does not exceed payments made for help employed in the audit in addition to the personnel of the division.

SECTION 2. Arkansas Code Title 6, Chapter 1, Subchapter 2, is repealed because the institute no longer exists.



~~Subchapter 2—Arkansas Leadership Institute for Teachers of the Delta  
6-1-201.—Identification of the Arkansas Delta region.~~

~~(a)—The Department of Education, working with the Department of Higher Education, shall establish a procedure each school year to identify:~~

- ~~(1)—The geographical areas of the state that are experiencing a critical shortage of teachers; and~~
- ~~(2)—The subject matters of teaching fields that are experiencing a critical shortage of teachers in the state.~~

~~(b)—The Department of Education, working with the Department of Higher Education, shall establish a procedure to identify the region of the state that is the Arkansas Delta for purposes of:~~

- ~~(1)—Receiving educational appropriations;~~
- ~~(2)—State funded scholarship and student loan programs; and~~
- ~~(3)—Other educational purposes.~~

~~6-1-202.—Short title—Legislative findings.~~

~~(a)—This section shall be known as the “Arkansas Delta Leadership Act of 2001”.~~

~~(b)(1)—The General Assembly finds:~~

~~(A)—Teachers in the Delta are not provided adequate professional growth opportunities within the Delta region as may be necessary to improve their teaching and learning;~~

~~(B)—An alignment of service providers is needed to ensure that gains made are monitored and maintained in the classroom;~~

~~(C)—Delta teachers often do not participate in professional development opportunities designed to support underrepresented and underserved teachers of the Delta because of the travel requirements necessary for participation; and~~

~~(D)—A program is needed to provide services for teachers in the Delta to connect them to their own geographical region, to provide a strong network of individuals that can communicate regional needs for students, and to focus on student achievement.~~

~~(2)—The General Assembly further finds that such a program is expected to:~~

~~(A)—Close the achievement gaps between Delta schools and the state average on student achievement;~~

~~(B) Create a network of teachers to communicate and network on issues related to academic standards;~~

~~(C) Provide knowledge and skill-building opportunities for career and new teachers that are directly related to areas of need as indicated by data;~~

~~(D) Provide professional development planning for the wise use and convergence of funding federally funded programs, state funds or programs, and local funds or programs; and~~

~~(E) Provide grant-writing expertise to school districts to help them access funding needed to improve the quality of their academic programs.~~

~~(c)(1) The Arkansas Leadership Institute for Teachers of the Delta is created and shall be known as "A-Lift".~~

~~(2)(A) A-Lift shall provide for professional development planning, training, and implementation of effective teaching strategies in Delta school districts.~~

~~(B) A-Lift shall also provide mentoring to teachers seeking National Board for Professional Teaching Standards certification.~~

~~(C) A-Lift shall target Delta school districts in Arkansas that are part of the counties identified as Delta counties by the Delta Regional Authority.~~

~~(3)(A) A-Lift shall be located in Helena-West Helena, Pine Bluff, or Monticello at an existing site with space available to house the institute.~~

~~(B) An existing site may be a two-year institution, a four-year institution, an education service cooperative, or other institution.~~

~~(C) Preference for location shall be given to four-year institutions or education service cooperatives in Helena-West Helena, Pine Bluff, or Monticello that have experience in professional development support mentoring, teacher licensure, and teacher quality.~~

~~(D) The State Board of Education shall have authority to issue the requests for proposals site selection, and the selection shall be based upon a response to a request for proposal issued through the state board.~~

~~(d) The state board may promulgate rules and regulations as necessary~~

~~for the implementation of this section.~~

SECTION 3. Arkansas Code § 6-12-112, concerning the audit of school district fiscal affairs, is repealed because it is contained within the subchapter where county boards of education laws were located, but which were repealed in 2005, and this language is either duplicated in existing law or is moved to § 6-1-101 under Section 1 of this act.

~~6-12-112. Audit of school district fiscal affairs.~~

~~(a) Any school district is authorized to provide for an audit of its fiscal affairs by a competent accountant.~~

~~(b) Authority is given to the Division of Legislative Audit to audit the books of any school district in the state upon the request of a fiscal officer or school district, county, or state school official.~~

~~(c) In cases of undue demands upon the division for these audits, the division will be considered justified in charging a fee for the service rendered, the fee not to be more than payments made for help employed in the audit in addition to the legally provided personnel of the division.~~

SECTION 4. Arkansas Code § 6-12-114, concerning the implementation of the repeal of county boards of education, is repealed because the time for implementation has expired.

~~6-12-114. Implementation.~~

~~(a) By June 30, 2005, all county boards of education shall transfer all records, written or electronic, to the respective county clerk, the respective county quorum court, the State Board of Workforce Education and Career Opportunities, the Department of Workforce Education, the State Board of Education, or the Department of Education, whichever may be appropriate.~~

~~(b)(1) Any and all funds received via an award or grant under the control of the county board that is abolished, the county board designee, or the county school supervisor whose position was abolished, the use of which is restricted by the terms of the award or grant under which the moneys were received, shall revert to the agency that awarded the funds unless otherwise specified in the terms of the award or grant.~~

~~(2) Any and all funds under the control of any county board that is abolished, county board designee, or county school supervisor whose position was abolished shall first be used to satisfy all legal debts~~

~~and obligations of the county board, and all remaining funds shall revert to the common or general school fund of the respective county for redistribution to the school districts domiciled in that county in accordance with existing law.~~

~~(c)(1)(A) Any and all real and personal property belonging to the county board that is abolished shall first be sold at public auction if after the implementation of subsection (b) of this section there are still legal debts and obligations.~~

~~(B) If any excess moneys from such an auction exist after the payments of legal debts and obligations, those excess moneys shall be distributed according to subdivision (b)(2) of this section.~~

~~(2)(A) If no legal debts or obligations exist after the implementation of subsection (b) of this section, any and all real and personal property of the county board shall become the property of the local school district that contains the county seat of government until such time that all school districts domiciled in the county have entered into a written agreement as to the disposition of the real and personal property of the county board.~~

~~(B) The written agreement must be finalized within twelve (12) months after July 1, 2005.~~

~~(d)(1) The provisions in subsection (b) and (c) of this section shall not include nor apply to any funds, written or electronic records, or real or personal property, or both real and personal property, belonging to or purchased with funding for adult education programs or general educational development testing centers supported through state or federal adult education funds, or both state and federal adult education funds.~~

~~(2) All such funds, written or electronic records, or real or personal property, or both real and personal property, including applicable real estate titles, will be transferred to the State Board of Workforce Education and Career Opportunities or any eligible entity approved by the State Board of Workforce Education and Career Opportunities.~~

SECTION 5. Arkansas Code § 6-12-115, concerning the repeal of county boards of education, is repealed because the implementation of the repeal of county boards of education was completed in 2005.

~~6-12-115. Legislative intent.~~

~~Nothing in this act should be construed as to forbid local school districts from entering into agreements with each other to perform some of the same functions that county boards of education used to do.~~

SECTION 6. Arkansas Code § 6-12-116, concerning a limitation on civil action against county boards of education, is repealed because the time limitation on those civil actions has expired and the remainder of the law concerning county boards of education has been repealed.

~~6-12-116. Limitation on civil actions.~~

~~(a)(1) Any civil action brought against any abolished county board of education or its members, school supervisor, designee, or employee in his or her official capacity must be commenced within one (1) year after the abolishment of the county board of education or one (1) year after the cause of action accrues, whichever occurs first.~~

~~(2) A cause of action accrues on the date of occurrence of the violation regardless of the aggrieved party's lack of knowledge of the violation.~~

~~(b)(1) Beginning on April 13, 2005, notwithstanding any other provision of law, no county board of education or county supervisor shall enter into or renew any personal, professional, employment, or other service contract or any other contract without the prior written approval of the State Board of Education or the Commissioner of Education.~~

~~(2) Any personal, professional, employment, or other service contract or any other contract entered into by a county board of education or county supervisor on behalf of the county board on or after April 13, 2005, shall be void unless such a contract or contractual obligation was approved in writing by the commissioner.~~

SECTION 7. Arkansas Code § 6-13-102(b), concerning the naming of school districts, is repealed and the remaining subsections amended because the state board does not name school districts; school districts adopt their own names.

~~(b) The state board in naming school districts shall name them, "\_\_\_\_\_ School District No. \_\_\_\_\_ of \_\_\_\_\_ County", giving each school district a name and showing the name of the county in which situated, and if it has territory in more than one (1) county, then the name of the~~

~~county that is the domicile of the school district.~~

~~(e)(b)~~ A certificate showing the name authenticated by the state board shall be filed with the county clerk of the county or of each county in which there is any territory of the school district and by him or her inscribed in a book kept by him or her for that purpose.

~~(d)(c)~~ All A school ~~districts~~ district shall have the right to may acquire and hold real estate and ~~all~~ other classes of property.

SECTION 8. Arkansas Code § 6-13-604, concerning an increase in the number of members of a school district board of directors, is repealed because its provisions have expired, are duplicated in § 6-13-634, or added to § 6-13-634 in Section 11 of this act.

~~6-13-604. School districts with five or more directors—Increase in number.~~

~~(a) The board of directors of any school district in this state that now has authorized or which is authorized to have five (5) or more directors may file a petition with the State Board of Education requesting an increase in the number of directors for the school district to seven (7). However, in any school district in the state having an average daily attendance of twenty-four thousand (24,000) or more, the petition may request that the board of directors for the school district be increased to nine (9).~~

~~(b) Notice of the filing of the petition shall be published within ten (10) days thereafter for one (1) insertion in some newspaper having a general circulation in the school district.~~

~~(c) Upon a showing that the increase will be for the benefit of the school district petitioning for it, the State Board of Education is authorized to increase the number of directors for the school district to seven (7) or to increase the number of directors for the school district to nine (9) in the case of a school district having an average daily attendance of twenty-four thousand (24,000) or more.~~

~~(d) The order directing such increase shall be entered not more than sixty (60) days after the publication of notice.~~

~~(e) The additional directors shall be appointed in the manner prescribed by law to serve until the next regular school election.~~

~~(f) All directors so appointed shall serve until their successors are elected and qualified.~~

~~(g) The additional directors authorized by this section shall be elected for the same term as other directors on the respective boards.~~

~~(h) All boards of directors shall be made up of five (5), seven (7), or nine (9) members as allowed by law.~~

~~(i) No board of directors shall have an even number of directors whether or not the number of directors of a school district's board of directors was established by an agreement between or among the former school districts that comprise the school district incident to a consolidation or annexation of the former school districts.~~

~~(j) Any change in the number of directors serving on the local school board of directors required under this section shall be effective upon the directors taking office following the 2005 annual school election.~~

~~(k)(1) Except as otherwise provided by law, any school district that elects its board members from single-member zones shall be subject to the requirements of this section.~~

~~(2) For those school districts that are subject to this subsection, "next regular school election" as used in subsection (c) of this section means the 2005 annual school election.~~

SECTION 9. Arkansas Code § 6-13-606, concerning a decrease in the number of members of a school district board of directors, is repealed because its provisions have expired, are duplicated in § 6-13-634, or added to § 6-13-634 in Section 11 of this act.

~~6-13-606. School districts with more than five directors—Decrease in number.~~

~~(a) The board of directors of any school district in this state that now has authorized or which is authorized to have seven (7) or nine (9) directors may file a petition with the State Board of Education requesting a decrease in the number of directors for that school district to five (5) or seven (7).~~

~~(b) Notice of the filing of the petition shall be published within ten (10) days thereafter by one (1) insertion in some newspaper having a general circulation in the school district.~~

~~(c) Upon a showing that such decrease will not be detrimental to the school district petitioning for it, the state board is authorized to decrease the number of directors for the school district to five (5) or seven (7).~~

~~(d) The order directing such decrease shall be entered not more than sixty (60) days after the publication of notice.~~

~~(e) Pursuant to the order and as soon as possible thereafter, the members of the board of directors shall draw by lot for the number of positions determined.~~

~~(f) The remaining directors shall continue to serve their unexpired terms.~~

~~(g) All boards of directors shall be made up of five (5), seven (7), or nine (9) members as allowed by law.~~

~~(h)(1) No board of directors shall have an even number of directors whether or not the number of directors of a school district's board of directors was established by an agreement between or among the former school districts that comprise the school district incident to a consolidation or an annexation of the former school districts.~~

~~(2) No less than ninety (90) days prior to the next annual school election, any school district with an even number of directors shall file a petition with the state board to establish the requisite odd number of directors.~~

~~(3) If the number of board members needs to be reduced to create a required odd number of directors and the members cannot agree on the method of reduction, the board of directors in office on August 12, 2005 shall draw lots to determine which board positions will be eliminated.~~

~~(i) Any change in the number of directors serving on the local school board of directors required under this section shall be effective upon the directors taking office following the 2005 annual school election.~~

~~(j)(1) Except as otherwise provided by law, any school district that elects its board members from single-member zones shall be subject to the requirements of this section.~~

~~(2) For those school districts that are subject to this subsection, "next annual school election" as used in subdivision (h)(2) of this section means the 2005 annual school election.~~

SECTION 10. Arkansas Code § 6-13-617(a), concerning the oath of school board directors and including obsolete language with respect to the naming of school districts, is amended to repeal the obsolete language and to read as follows:

(a) Each director elected or appointed shall, within ten (10) days after receiving notice of his or her election or appointment, subscribe to the following oath:

“I, \_\_\_\_\_, do hereby solemnly swear or affirm, that I will support the Constitution of the United States and the Constitution of the State of Arkansas, and that I will not be interested, directly or indirectly, in any contract made by the district of which I am a director, except as permitted by state law and that I will faithfully discharge the duties as school director in \_\_\_\_\_ School District, No. \_\_\_\_\_ of \_\_\_\_\_ County, Arkansas, upon which I am about to enter.”

SECTION 11. Arkansas Code § 6-13-634, concerning school district boards of directors, is amended to consolidate language from § 6-13-604 and § 6-13-606 repealed in Sections 8 and 9 of this act, to read as follows:

6-13-634. School district board of directors – Size.

(a) ~~All A~~ A school ~~districts~~ district shall have a board of directors with five (5) members or seven (7) members, or nine (9) members in the case of a school district having an average daily attendance of twenty-four thousand (24,000) or more.

(b)(1) Subsection (a) of this section ~~shall~~ does not apply to those school districts that have a board of directors of seven (7) members, or in the case of a school district having an average daily attendance of twenty-four thousand (24,000) or more, nine (9) members, if that school district is operating under a court order or a consolidation agreement that provides for a board of directors.

(2) Except as otherwise provided by law, a school district that elects its directors from single-member zones is subject to the requirements of this section.

(c)(1) ~~No board of directors shall~~ A school district board of directors shall not have an even number of directors.

(2) No less than ninety (90) days ~~prior to~~ before the next annual school election, ~~any school district with an even number of directors shall~~ a school district seeking to increase or decrease the number of its directors shall file a petition with the State Board of Education to

establish the requisite odd number of directors.

(3) The school district shall publish notice of the filing of the petition within ten (10) days thereafter for one (1) insertion in a newspaper having a general circulation in the school district.

(4) Upon a showing that the increase or decrease will be for the benefit of the school district petitioning for it, the State Board of Education may enter an order to increase or decrease the number of directors for the school district to a number of directors provided under subsection (a) of this section.

(5) The order directing an increase or decrease shall be entered not more than sixty (60) days after the publication of the notice under subdivision (c)(3) of this section.

(6) If the number of members of a board of directors ~~needs to be reduced to create an odd number of directors~~ is decreased under this section, the board of directors in office on August 12, 2005 before the next regular school election shall draw lots to determine which board positions will be eliminated.

(d) Any change in the number of directors serving on ~~the local school~~ a school district board of directors ~~required~~ under this section ~~shall be~~ is effective upon the ~~directors~~ directors' taking office following the 2005 next regular annual school election.

SECTION 12. Arkansas Code § 6-13-1417(a)(1), concerning formation of a permanent board of directors, is amended to correct a reference to § 6-13-604 repealed in Section 8 of this act and to reflect the amended code section under Section 11 of this act, to read as follows:

(a)(1) A permanent board of directors shall have either five (5) or seven (7) members unless the school district is allowed to have nine (9) members under ~~§ 6-13-604~~ § 6-13-634.

SECTION 13. Arkansas Code § 6-15-1201, concerning the Education Standards Commission which is no longer in existence, is repealed.

~~6-15-1201. Creation—Composition—Terms—Powers and duties.~~

~~(a) The Department of Education is directed to create an Education Standards Commission which shall be composed of the following individuals:~~

~~(1) One (1) kindergarten through grade three (K-3) classroom~~

~~teacher;~~

- ~~(2) One (1) grade four through six (4-6) classroom teacher;~~
- ~~(3) One (1) grade seven through nine (7-9) classroom teacher;~~
- ~~(4) One (1) grade ten through twelve (10-12) classroom teacher;~~
- ~~(5) One (1) counselor;~~
- ~~(6) One (1) vocational teacher;~~
- ~~(7) One (1) elementary school administrator;~~
- ~~(8) One (1) secondary school administrator;~~
- ~~(9) One (1) superintendent;~~
- ~~(10) One (1) school board member;~~
- ~~(11) Two (2) parents of public school students; and~~
- ~~(12) Two (2) representatives of the business community.~~

~~(b) The Commissioner of Education shall appoint the teacher representatives from a list submitted by the Arkansas Education Association, the administrator representatives from a list submitted by the Arkansas Association of Educational Administrators, the school board members from a list submitted by the Arkansas School Boards Association, the counselor from a list submitted by the Arkansas Counseling Association, the vocational teacher from a list submitted by the Arkansas Vocational Education Association, the parent representatives from a list submitted by the Arkansas Parent Teacher Association, and the business representatives from a list submitted by the Arkansas Business and Education Alliance.~~

~~(c) Members of the commission shall serve four-year terms on a staggered basis.~~

~~(d) The commission shall regularly review the regulations, criteria, and minimum standards used by the State Board of Education and the department at least once every two (2) years. Recommendations for changes in the regulations, criteria, and minimum standards shall be presented by the commission to the state board for its consideration.~~

SECTION 14. Arkansas Code § 6-17-806, concerning the Arkansas Teachers' Salaries Study Commission which no longer exists, is repealed.

~~6-17-806. Arkansas Teachers' Salaries Study Commission.~~

~~(a)(1) There is created the Arkansas Teachers' Salaries Study Commission.~~

- ~~(2) It shall be composed of:~~

- ~~(A) The Chair of the House Education Committee or his or her appointee;~~
  - ~~(B) The Chair of the Senate Education Committee or his or her appointee;~~
  - ~~(C) The Commissioner of Education;~~
  - ~~(D) The Director of the Department of Workforce Education;~~
  - ~~(E) One (1) representative of the Arkansas Association of Educational Administrators;~~
  - ~~(F) One (1) representative of the Arkansas Education Association;~~
  - ~~(G) One (1) representative of the Arkansas School Boards Association;~~
  - ~~(H) The following persons appointed by the Governor:
 
    - ~~(i) One (1) public school teacher;~~
    - ~~(ii) One (1) public school superintendent; and~~
    - ~~(iii) Two (2) lay persons from the state at large.~~~~
- ~~(b) The Arkansas Teachers' Salaries Study Commission shall conduct its study of the disparity in teachers' salaries among the state's school districts and among other states and report the results of its study, along with any recommendations, to each session of the General Assembly.~~

SECTION 15. Arkansas Code § 6-17-2502(3), concerning definitions applicable to the Arkansas Teacher of the Year Act, is amended to delete a reference to § 6-13-604 repealed by Section 8 of this act, to read as follows:

(3) "School district board of directors" means the local board of directors of a school district who are duly elected and qualified to hold office pursuant to § 6-13-604 et seq.; and

SECTION 16. Arkansas Code § 6-18-102, concerning school uniform policies, is amended to repeal provisions that have expired concerning the adoption of school uniform policies and to make technical corrections to the remaining provisions as a result of that repeal to read as follows:

6-18-102. Legislative findings – School uniform policy.

(a) The General Assembly hereby finds and determines that the clothes and footwear worn by students in the public schools often preoccupy and

distract students from their major purpose for being in school, that of becoming educated in math, science, English, history, and other subjects. The General Assembly further finds that student competition over clothes and footwear has, in several instances, led to violence and injuries during school hours; whereas, in those Arkansas schools that have adopted school uniforms, disparities in student socioeconomic levels are less obvious and disruptive incidents are less likely to occur.

~~(b)(1) The board of directors of a local school district shall create an advisory committee composed of parents and students for the purpose of considering whether the district should adopt a uniform dress code for students.~~

~~(2)(A) If the advisory committee recommends to the board of directors that a uniform dress code for students be adopted, if no uniform dress code is adopted by the school board of directors at least thirty (30) days prior to the filing deadline for the annual school election, and if not less than five percent (5%) of the qualified electors in the district the question of a uniform dress code voted upon, the board of directors shall refer the issue of a dress code to the qualified electors of the district during the 2000 annual school election.~~

~~(B)(b)(1) The~~ In addition to the 2000 annual election, the school district board of directors may refer the issue of a dress code to the qualified electors of the district at any ~~subsequent~~ annual school election.

~~(3)(A)(2)~~ If a majority of the qualified electors of the district voting thereon at the election ~~shall~~ vote for the adoption of a school uniform policy, the school district board of directors shall prescribe appropriate school uniforms and implement the policy.

~~(B)(3)~~ If a majority of the qualified electors of the district voting thereon at the election vote against the adoption of a school uniform policy, the school district board of directors may ~~only~~ refer the question again to the qualified electors of the district only after a minimum period of one (1) year.

~~(4)(A) After a school uniform policy has been implemented as a result of the 2000 annual school election required by this section for a minimum period of one (1) year, qualified electors of the district may by petition have the question of continuing the school uniform policy voted upon at the next school election.~~

~~(B) The petition shall be signed by not less than five percent (5%) of the qualified electors in the district.~~

~~(5)(A)(4)(A)~~ Qualified electors of the district may at any time by petition have the question of implementing a uniform dress code voted upon at the next school election.

(B) The petition shall be signed by not less than five percent (5%) of the qualified electors in the district.

(c) Any school uniform policy adopted by a school district shall provide for individual students to make application to opt out of the uniform requirements with parental consent ~~where~~ when no other reasonable alternative placement for the student exists.

(d) Any school district that has adopted and implemented a district policy to require a uniform dress code ~~prior to~~ before the 2000 annual school election shall be exempt from the provisions of this section ~~other than subsection (g).~~

~~(e)(1) Nothing in this section shall be construed to~~ This section does not limit the ability of a school district or a particular school within a district to adopt and implement a school uniform policy.

~~(2) Any~~ A school district may implement a school uniform policy without submitting the issue to the electors of the district.

(f) The Department of Education and education service cooperatives shall, when possible, assist public schools by providing information regarding uniform dress codes upon request from public school administrators.

~~(g) Within sixty (60) days after the 2000 annual school election, each school district shall submit a letter to the department setting forth the recommendation of the advisory committee, the action taken by the school board of directors regarding a uniform dress code as a result of the advisory committee's recommendation, and the results of any election regarding a uniform dress code.~~

~~(h) The department shall compile a report of the information received from each school district and submit the report to the Senate Committee on Education and the House Committee on Education prior to January 15, 2001.~~

SECTION 17. Arkansas Code Title 6, Chapter 18, Subchapter 14, concerning Family Resource Centers, an unfunded program whose services are provided by other state programs, is repealed.

~~Subchapter 14 — Family Resource Centers Act~~

~~6-18-1401. — Title.~~

~~This subchapter shall be known and may be cited as the “Family Resource Centers Act”.~~

~~6-18-1402. — Definitions.~~

~~As used in this subchapter:~~

~~(1) — “Board” means the State Child Abuse and Neglect Prevention Board;~~

~~(2) — “Core component” means one (1) of the activities or services for children and their families provided by a family resource center pursuant to the school district’s grant application;~~

~~(3) — “Family resource center” means a center in or near a priority elementary school;~~

~~(4) — “National school lunch students” means those students from low socioeconomic backgrounds as indicated by eligibility for free or reduced-price meals under the National School Lunch Act as calculated on October 1 of each year and submitted to the Department of Education;~~

~~(5) — “Optional component” means one (1) of the activities or services for children or their families provided by a family resource center to satisfy unique community needs;~~

~~(6) — “Parent” means a parent, legal guardian, or person standing in loco parentis; and~~

~~(7) — “Priority elementary school” means a public school that meets the following requirements:~~

~~(A) — Has one (1) or more of grades kindergarten through six (K-6); and~~

~~(B) — Has fifty percent (50%) or more of the:~~

~~(i) — Enrolled students that are national school lunch students based on data from the 2002-2003 school year; or~~

~~(ii) — Enrolled students that are performing below proficient on any or all benchmark examinations based on examination results from the 2002-2003 school year.~~

~~6-18-1403. — Administration.~~

~~This subchapter shall be administered by the State Child Abuse and~~

~~Neglect Prevention Board, as created under § 9-30-104.~~

~~6-18-1404.—Duties.~~

~~(a) The State Child Abuse and Neglect Prevention Board shall have the following duties, subject to funding, to:~~

~~(1) Determine which schools are priority elementary schools under this subchapter;~~

~~(2) Review grant applications and award grants to school districts for family resource centers;~~

~~(3)(A) Formulate and assist with the implementation plan to establish a goal of ten (10) family resource centers, subject to funding.~~

~~(B) The family resource centers shall be designed to meet the following goals:~~

~~(i) Removing nonacademic barriers to student success in school;~~

~~(ii) Enhancing the abilities of students to succeed in school; and~~

~~(iii) Meeting the needs of children and their families;~~

~~(4) Monitor the family resource centers;~~

~~(5) Modify the implementation plans as necessary;~~

~~(6) Promulgate rules and forms for the administration of this subchapter;~~

~~(7) Employ administrative or training staff as needed;~~

~~(8) Create local advisory groups;~~

~~(9)(A) Provide additional resources to assist school districts in the development of methods and strategies to effectively use poverty funding that they receive more effectively.~~

~~(B) The resources may include the following:~~

~~(i) Technical assistance;~~

~~(ii) Organizational assistance;~~

~~(iii) Program assistance;~~

~~(iv) Professional assistance; or~~

~~(v) Any other assistance that is determined to be needed to help school districts overcome nonacademic barriers;~~

~~(10) Find alternative funding sources for the board and the~~

~~programs under this subchapter, including, but not limited to, grants or donations; and~~

~~(1) Perform other duties as determined by the board.~~

~~(b)(1) This subchapter is the framework for schools to address student poverty issues and to remove nonacademic barriers that hinder student performance.~~

~~(2) A school district may fund programs or services under this subchapter with moneys received from the Department of Education Public School Fund Account or its successor fund account for poverty index funding, National School Lunch Act student funding, national school lunch students funding, or other funding for students eligible for the free or reduced-price lunch program.~~

~~(3) The programs under this subchapter shall be included in any list of approved programs and purposes established by rule of the Department of Education, any successor agency of the department, or the State Board of Education regarding the use of poverty index funding, National School Lunch Act student funding, national school lunch students funding, or other funding for students eligible for the free or reduced-price lunch program.~~

~~(4) School districts may use any available funding resources to establish and administer family resource centers under this subchapter, including, but not limited to, federal or state Medicaid moneys or reimbursements.~~

~~(c) On or before October 1 of each year, the chair of the board or his or her designee shall report to the House Committee on Aging, Children and Youth, Legislative and Military Affairs, and the Senate Committee on Children and Youth regarding the status of the development of the family resource centers and the outcomes achieved at each operational family resource center.~~

~~6-18-1405. Purposes.~~

~~(a) Family resource centers shall be designed to remove nonacademic barriers to success and to enhance the abilities of the students to succeed in school.~~

~~(b) Students and families who are the most economically disadvantaged shall have priority status for receiving services at the family resource centers.~~

~~(c) Family resource centers shall work in conjunction with the parent~~

~~facilitator at the school to avoid duplication of services and to maximize personnel and resources.~~

~~6-18-1406.—Implementation plans.~~

~~(a)—The implementation plan developed by the State Child Abuse and Neglect Prevention Board with input from the local advisory groups, the local school district, and the priority elementary school shall include an effort to implement a network of family resource centers across the state.~~

~~(b)—The family resource centers shall be located in or near each priority elementary school.~~

~~(c)—The implementation plan shall promote identification and coordination of existing resources, including any program that currently exists at the school under a parental involvement plan under § 6-15-1701 et seq.~~

~~(d)—The implementation plan may include the following components for each site:~~

~~(1)(A)—Information and referral activities:~~

~~(i)—For off-site services to assist participants in having their basic needs met; and~~

~~(ii)—That provide participants with a point of entry to available support networks.~~

~~(B)—Examples of off-site service referrals include without limitation the following:~~

~~(i)—Child care centers;~~

~~(ii)—Health care providers;~~

~~(iii)—Counseling services;~~

~~(iv)—Legal aid;~~

~~(v)—Food banks;~~

~~(vi)—Housing and domestic violence shelters; and~~

~~(vii)—Federal agencies, state agencies, or other~~

~~entities that provide benefits or services that the participants may need;~~

~~(2)(A)—Parenting education services to promote the sharing of information, strategies, and tools to help parents with the difficult job of being parents.~~

~~(B)—Examples of parenting activities include, but are not limited to, the following:~~

~~(i) Group based parent education classes;~~  
~~(ii) Providing credentialed guest speakers; or~~  
~~(iii) Making materials on parenting issues available to parents through lending libraries or take-home materials;~~

~~(3)(A) Child development activities to strengthen the parent and child bond and to promote optimal development of a child by assisting parents in the utilization, understanding, and application of early child development activities.~~

~~(B) Child development activities shall emphasize child development during the earliest years, specifically zero to three (0-3) years of age.~~

~~(C) Child development activities shall address the following:~~

- ~~(i) Healthy physical development;~~
- ~~(ii) Cognitive development;~~
- ~~(iii) Social development; or~~
- ~~(iv) Emotional development.~~

~~(D) Specific strategies to promote child development within family resource centers may include the following:~~

- ~~(i) Referring or establishing quality child care or after-school care programs;~~
- ~~(ii) Providing developmental screenings;~~
- ~~(iii) Educating parents about developmental milestones;~~
- ~~(iv) Providing literacy and pre-literacy activities such as story time;~~
- ~~(v) Providing play groups or "make and take" activities for young children; or~~
- ~~(vi) Establishing toy, book, computer, or technology sharing or lending libraries.~~

~~(E) Child development activities may be conducted at the family resource centers through home visiting programs such as Home Instruction for Parents of Preschool Youngsters (HIPPY) or as part of Head Start;~~

~~(4) Life skills education to provide an opportunity for participants to strengthen skills and competencies that will help them~~

~~succeed in everyday tasks to include, but not be limited to, the following:~~

- ~~(A) — Developing and maintaining a household budget;~~
- ~~(B) — Shopping for and preparing nutritious meals;~~
- ~~(C) — Securing and maintaining employment;~~
- ~~(D) — Conflict resolution skills;~~
- ~~(E) — Goal setting;~~
- ~~(F) — Time management;~~
- ~~(G) — Decision making; or~~
- ~~(H) — Stress management;~~

~~(5)(A) — Family literacy to connect education for children with literacy instruction for their parents.~~

- ~~(B) — Family literacy activities may include the following:~~
  - ~~(i) — Adult literacy instruction for parents;~~
  - ~~(ii) — General education diploma instruction for~~

~~parents;~~

- ~~(iii) — Referral to a vocational educational institution or an institution of higher education in the state;~~
- ~~(iv) — Information provided on scholarships that might be available to the parent if the parent decides to proceed with higher education;~~

- ~~(v) — Child literacy programs; or~~
- ~~(vi) — Parent and child literacy activities; and~~

~~(6)(A) — Informal network building to assist families in developing a network of mutual support, to include caring, resource sharing, emotional support, and social support.~~

~~(B) — The informal network building program shall be designed to promote activities to help parents get to know one another, raise their social capital, and reduce their isolation.~~

~~(C) — Examples of informal network building programs include the following:~~

- ~~(i) — Support groups;~~
- ~~(ii) — Social activities;~~
- ~~(iii) — Family celebrations;~~
- ~~(iv) — Recreational activities;~~
- ~~(v) — Holiday gatherings; or~~
- ~~(vi) — Newsletters.~~

~~(e) The State Child Abuse and Neglect Prevention Board and the local advisory group shall agree which of the components in subsection (d) of this section are core components or optional components based on the individual implementation plan for each priority elementary school's family resource center.~~

~~(f)(1) The State Child Abuse and Neglect Prevention Board shall determine which schools meet the definition of priority elementary schools under this subchapter by July 1, 2004.~~

~~(2) The Department of Education and the State Board of Education shall provide all information necessary in the format necessary for the State Child Abuse and Neglect Prevention Board to meet the deadline under this subsection.~~

~~(g)(1) The State Child Abuse and Neglect Prevention Board shall select a minimum of ten (10) eligible priority elementary schools for which an implementation plan shall be completed, subject to funding.~~

~~(2) The State Child Abuse and Neglect Prevention Board shall complete its implementation plan for a minimum of ten (10) priority elementary schools on or before December 1, 2004, subject to funding.~~

~~(h) On or before August 1, 2005, family resource centers shall be established in or adjacent to a minimum of ten (10) priority elementary schools, subject to funding.~~

~~6-18-1407. Grant program.~~

~~(a) A grant program is established to provide financial assistance to school districts with priority elementary schools that establish family resource centers.~~

~~(b) The implementation of the grant program under this section is subject to funding.~~

~~(c) Local school districts shall submit to the State Child Abuse and Neglect Prevention Board the grant applications and plans for their family resource centers by March 1, 2005.~~

~~(d) Beginning July 1, 2005, the board shall award grants to school districts that establish family resource centers at priority elementary schools in their districts.~~

~~(e)(1) The board or its designee shall develop a grant application process that includes the following:~~

~~(A) An application for a grant under this subchapter;~~  
~~(B) Instructions about the grant process; and~~  
~~(C) Scoring procedures to determine the award of the grants.~~

~~(2)(A) The grant application process shall include the preparation of a grant application package that is distributed to each priority elementary school and the superintendent of the school district containing each priority elementary school.~~

~~(B) The board shall distribute the grant application package no later than December 15, 2004.~~

~~(3) The grant application process shall be straightforward and require a minimum amount of paperwork.~~

~~(f) In the award of grants under this subchapter, special consideration shall be given to the most impoverished and the lowest performing schools.~~

~~6-18-1408. Local advisory councils.~~

~~(a) Each family resource center shall have a local advisory council that has a central role in designing and delivering services.~~

~~(b) Members of the local advisory council shall be representative of the diversity of the students in the priority elementary school that is served.~~

~~(c)(1) Except for the initial chair, the members shall determine annually and by majority vote who shall serve as chair.~~

~~(2) The superintendent of the priority elementary school shall appoint the initial chair for the purpose of calling the first organizational meeting.~~

~~(3) The initial chair shall call an organizational meeting no less than thirty (30) days after all of the members are appointed.~~

~~(d)(1) The local advisory council shall meet at such times and places that the chair deems necessary, but no meetings shall be held outside of the county where the priority elementary school is located.~~

~~(2) A quorum is not required for the local advisory council to transact business.~~

~~(3) All actions of the local advisory council shall be by a majority vote of all members who are present.~~

~~(e) The local school district shall provide meeting facilities for the local advisory council.~~

~~6-18-1409. Family resource centers.~~

~~(a) Each family resource center shall have the following, subject to funding:~~

~~(1) A full-time coordinator;~~

~~(2) At least fifteen (15) hours per week of social work services; and~~

~~(3) Sufficient staff to implement the plan submitted with the grant application.~~

~~(b) The services provided at the family resource centers shall take into consideration the schedule of the student and the student's family to provide discreet after-hour services when appropriate.~~

~~(c) The family resource centers shall work with the local advisory council to give the members notice of all activities and needs of the family resource centers.~~

SECTION 18. Arkansas Code Title 6, Chapter 41, Subchapter 5, concerning the Task Force on Medically Fragile, Chronically Ill, or Technology-Dependent Students which has completed its work, is repealed. Subchapter 5—Task Force on Medically Fragile, Chronically Ill, or Technology-Dependent Students

~~6-41-501. Task force established.~~

~~(a) The Special Education Section of the Department of Education shall convene a task force to address issues related to the education of medically fragile, chronically ill, and technology-dependent public school students.~~

~~(b) The task force shall be made up of:~~

~~(1) Public school personnel, including school and program administrators;~~

~~(2) School health service providers;~~

~~(3) Regular and special education classroom teachers; and~~

~~(4) Health care providers, including physicians and nursing personnel.~~

~~6-41-502. Duties — Policy and procedures.~~~~(a) The task force shall, as a minimum:~~~~(1) Develop a written resource guide for local school district development of policy and procedures addressing risk management and liability issues relative to these students; and~~~~(2) Design a training program to assist local school districts in the actual development and implementation of policies and procedures.~~~~(b) Regular and special education teachers shall be involved in the development of these policies and procedures.~~~~6-41-503. Duties — Rules and regulations.~~~~The task force shall also, as a minimum:~~~~(1) Determine and recommend to the State Board of Education rules and regulations identifying the appropriate role and responsibility of public school employees, including certified, classified, and school health service personnel, and that of medical personnel in the provision of services to these students; and~~~~(2) Determine and make recommendations to the state board rules and regulations on what facilities and support services are necessary to meet the needs of these students.~~~~6-41-504. Report.~~~~The task force shall report periodically to the House Interim Committee on Education and the Senate Interim Committee on Education the results of its work.~~

SECTION 19. Arkansas Code § 6-60-103, concerning the Arkansas Safe Campus Task Force, which expired on December 31, 2010, is repealed.

~~6-60-103. Arkansas Safe Campus Task Force.~~~~(a) There is hereby created a task force to be known as the "Arkansas Safe Campus Task Force".~~~~(b) The task force shall consist of eight (8) members including:~~~~(1) The Director of the Department of Higher Education or his or her designee;~~~~(2) The Director of the Department of Arkansas State Police or his or her designee;~~

~~(3) The Director of the Arkansas Department of Emergency Management or his or her designee;~~

~~(4) One (1) member appointed by the Governor who is trained in treating persons affected mentally and emotionally by acts of violence;~~

~~(5) Two (2) members appointed by the Presidents Council who are university presidents or chancellors or their designees; and~~

~~(6) Two (2) members appointed by the Presidents Council who are two-year college presidents or their designees.~~

~~(c) If a vacancy occurs for any reason, the vacancy shall be filled in the same manner as the original appointment.~~

~~(d) The Director of the Department of Higher Education shall organize the first meeting of the task force and serve as chair at the first meeting.~~

~~(e)(1) By September 1, 2009, the task force shall conduct its first meeting and elect a chair from among its membership.~~

~~(2) After its first meeting, the task force shall meet upon the call of the chair but shall meet no less than quarterly.~~

~~(3) The task force shall cease to exist after making its report under subsection (h) of this section but not later than December 31, 2010.~~

~~(f)(1) A quorum is required for any action by the task force.~~

~~(2) Five (5) members shall constitute a quorum for the purpose of transacting the business of the task force.~~

~~(g) The task force shall:~~

~~(1) Review the current campus safety and security practices of state-supported two-year and four-year institutions of higher education in this state and of private institutions of higher education that elect to participate in a review; and~~

~~(2) Develop guidelines and recommendations for best practices for developing an interdisciplinary and multijurisdictional campus violence prevention, response, and recovery plan that include:~~

~~(A) Effective methods of coordinating communications among and with:~~

~~(i) Institutions of higher education and their administrators, faculty, staff, students, and parents;~~

~~(ii) State and local officials;~~

~~(iii) Mental health providers; and~~

~~(iv) First responders;~~

~~(B) A campus violence prevention committee;~~  
~~(C) A campus threat assessment team;~~  
~~(D) A mental health response and recovery plan; and~~  
~~(E) An analysis of the types of available training resources related to campus security issues from which personnel at institutions of higher education may benefit.~~

~~(h) By September 1, 2010, the task force shall provide a report to the Governor, the House Committee on Education, and the Senate Committee on Education on its review under subsection (g)(1) of this section and its recommendations under subdivision (g)(2) of this section.~~

~~(i)(1) The Department of Higher Education shall provide staff support and assistance to the task force.~~

~~(2) As funds are appropriated and available, the Department of Higher Education may reimburse a member of the task force for mileage for attending meetings of the task force at the rate established by the Department of Finance and Administration.~~

SECTION 20. Arkansas Code § 6-62-727, is repealed because its provisions regarding the rules and regulations for college savings bonds are duplicated in § 6-62-726.

~~6-62-727. Rules and regulations—Acts 1997, No. 1211.~~

~~(a) The Department of Higher Education shall adopt rules and regulations for the allocation of the funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter in order to ensure that funds are allocated and expended in a manner consistent with the applicable provisions of the Internal Revenue Code.~~

~~(b) The funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter shall be allocated and expended pursuant to the provisions of this subchapter and other laws of this state.~~

~~(c) The expenditure and allocation of funds shall be exempt from any other provisions of state law which conflict with any provision of the rules and regulations which are required to ensure the compliance of the program~~

~~with the applicable provisions of the Internal Revenue Code.~~

SECTION 21. DO NOT CODIFY. The enactment and adoption of this act shall not repeal, expressly or impliedly, the acts passed at the regular session of the Eighty-Ninth General Assembly. All such acts shall have full force and effect, and so far as those acts intentionally vary from or conflict with any provision contained in this act, those acts shall have the effect of subsequent acts amending or repealing the appropriate parts of the Arkansas Code of 1987.