

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

State of Arkansas
91st General Assembly
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As Engrossed: H3/10/17 H3/20/17
A Bill

HOUSE BILL 1859

By: Representative Davis

For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING EFFECTIVE STUDENT DISCIPLINE; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING EFFECTIVE STUDENT DISCIPLINE.

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

*SECTION 1. Arkansas Code § 6-18-516 is amended to read as follows:
6-18-516. Effective school discipline.*

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

~~*(1) "Disciplinary rate" means a three-year average for each discipline measure of the number of students in a school district or the number of students in a subgroup in the school district who have at least one (1) discipline measure divided by the corresponding total enrollment in the school district or the total enrollment in the subgroup;*~~

~~*(2) "Discipline measure" means:*~~

~~*(A) In-school suspension;*~~

~~*(B) Out-of-school suspension;*~~

~~*(C) Expulsion;*~~

~~*(D) Corporal punishment; and*~~

~~*(E) Referrals to law enforcement authorities;*~~

~~*(3) "Rate of disciplinary disparity" means the disciplinary rate for a subgroup subtracted from the disciplinary rate for another comparison subgroup; and*~~



~~(4) "Subgroup" means the enrollment of students in one (1) of the following demographic groups:~~

~~(A) White students;~~

~~(B) Nonwhite students;~~

~~(C) Low income students, including without limitation students who are economically disadvantaged for standardized testing purposes;~~

~~(D) Students with disabilities, defined as "a child with a disability" under § 6-41-203; and~~

~~(E) Students whose achievement is at the basic or below basic level, or the equivalent, for the school year on the state-required:~~

~~(i) Literacy benchmark assessments;~~

~~(ii) Mathematics benchmark assessments; or~~

~~(iii) End-of-course assessments.~~

~~(b) By July 1 of each year beginning in 2014, the Department of Education shall prepare and provide a report to the State Board of Education and to all school districts that includes the following information:~~

~~(1) The total number of students enrolled in the school district and in each subgroup;~~

~~(2) The percentage that each subgroup represents of the school district's total enrollment;~~

~~(3) The number of students who appear in more than one (1) subgroup;~~

~~(4) The disciplinary rate for each discipline measure for the total student enrollment in a school district;~~

~~(5) The disciplinary rate for each discipline measure for each subgroup; and~~

~~(6) The rate of disciplinary disparity for each discipline measure for each subgroup compared with the subgroup with the lowest disciplinary rate.~~

~~(c) The report also:~~

~~(1) May include additional information that the department determines will provide a better understanding of the disciplinary rate or rate of disciplinary disparity of a particular school or school district;~~

~~(2) Shall include the achievement status for a school district identified in the report; and~~

~~(3) Shall identify discipline related strategies, alternatives, and resources available to school districts.~~

~~(d) The department shall track the progress that school districts in the state have made in reducing the disciplinary rate and rate of disciplinary disparity and:~~

~~(1) Identify school districts that make progress reducing the disciplinary rate and rate of disciplinary disparity and assess the successful strategies used by those school districts;~~

~~(2) Assess the gains, if any, in student academic achievement that correspond to the reduction of disciplinary rates and rates of disciplinary disparity; and~~

~~(3) Report annually to the state board the information under subdivisions (d)(1) and (2) of this section, including:~~

~~(A) The progress made for the year;~~

~~(B) Successful strategies that may be used by other school districts; and~~

~~(C) The corresponding gains, if any, in student academic achievement.~~

~~(e)(1) The department shall survey districts to determine which school districts are currently implementing evidence based strategies, including without limitation:~~

~~(A) Positive behavior interventions and support systems; and~~

~~(B) Restorative justice.~~

~~(2) The department shall:~~

~~(A) Develop information concerning the resources needed by school districts to reduce discipline and the restraint of students with disabilities using the strategies in subdivision (e)(1) of this section; and~~

~~(B) Provide the information for inclusion in the educational adequacy study required under § 10-3-2102(a)(1)-(4).~~

(a) As used in this section, "exclusionary disciplinary actions" means out-of-school suspension and expulsion.

(b)(1) Annually, the Department of Education shall report at the school, school district, and state level the following data concerning exclusionary disciplinary actions, in-school suspensions, and corporal punishment:

(A) Number per one hundred (100) students for the entire population;

(B) Number per one hundred (100) students for any racial or ethnic subgroup required for accountability by the Every Student Succeeds Act, Pub. L. No. 114-95;

(C) Number per one hundred (100) students for economically disadvantaged students; and

(D) Number per one hundred (100) students for students with disabilities identified under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.

(2) The department shall report exclusionary disciplinary actions by both:

(A) Combining out-of-school suspensions and expulsions; and

(B) Separately listing out-of-school suspensions and expulsions.

(c) The department shall report the data required in subsection (b) of this section:

(1) On the website of the department to the extent that publication is consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; and

(2) In a manner that reflects historical trends and allows for the comparison of schools and school districts.

(d) The department shall:

(1) Provide school districts with resources for the best practices in effective school discipline; and

(2) Annually communicate to school districts:

(A) The availability of and how to access the data listed in subsection (b) of this section; and

(B) How to access the resources listed in subdivision (d)(1) of this section.

(e) The department, or researcher identified by the department, shall provide an annual report to the State Board of Education analyzing disciplinary infractions, disciplinary actions, and disciplinary disparities existing throughout the state.

/s/Davis