

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

State of Arkansas  
93rd General Assembly  
First Extraordinary Session, 2021

# A Bill

Call Item 1  
HOUSE BILL 1006

By: Representative Tollett

## For An Act To Be Entitled

AN ACT TO CREATE THE "ARKANSAS SAFE SCHOOLS ACT"  
CONCERNING REQUIREMENTS FOR PUBLIC SCHOOL DISTRICTS  
DURING A STATE OF DISASTER EMERGENCY RELATED TO  
PUBLIC HEALTH; TO DECLARE AN EMERGENCY; AND FOR OTHER  
PURPOSES.

## Subtitle

TO CREATE THE "ARKANSAS SAFE SCHOOLS ACT"  
CONCERNING REQUIREMENTS FOR PUBLIC SCHOOL  
DISTRICTS DURING A STATE OF DISASTER  
EMERGENCY RELATED TO PUBLIC HEALTH; AND  
TO DECLARE AN EMERGENCY.

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

SECTION 1. DO NOT CODIFY. This act shall be known and may be cited as the "Arkansas Safe Schools Act."

SECTION 2. Arkansas Code Title 6, Subchapter 10, is amended to add an additional section to read as follows:

6-10-137. Protocols during a state of emergency related to public health.

During a state of disaster emergency related to public health regarding an infectious, contagious, and communicable disease declared under the Arkansas Emergency Services Act of 1973, § 12-75-101 et seq., including without limitation a statewide state of disaster emergency related to public health regarding an infectious, contagious, and communicable disease, a



public school board or an open enrollment charter school:

(1) Shall, with respect to children under the age of twelve (12) in a school building, school bus, or other congregate educational setting during times dedicated for academic purposes:

(A) Provide for social distancing between each student and staff member when practicable, consistent with recommendations of the Department of Health;

(B) Provide students and staff members access to hand sanitizer and provide increased opportunities for hand washing;

(C) Increase the number and thoroughness of cleaning and sanitizing routines for facilities within the school;

(D) Provide for the quarantine of students and staff members from attendance at school consistent with recommendations of the Department of Health; and

(E) Implement any other safety measures recommended by the Department of Health to the extent those recommended safety measures do not conflict with subdivisions (1) and (2) of this section; and

(2) May, with respect to children under the age of twelve (12) in a school building, school bus, or other congregate educational setting during times dedicated for academic purposes:

(A) Provide for temperature checks of each student and staff member at the first part of the day and send home any student or staff member who presents with a temperature above that recommended by the Department of Health for attendance at school; and

(B) Implement masking protocols that:

(i) Promote the voluntary use of face masks, face shields, or other face coverings by students and staff members;

(ii) Provide education on the proper way to wear face masks, face shields, or other face coverings; and

(iii) Supply students with face masks, face shields, or other face coverings.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that on July 29, 2021, Governor Asa Hutchinson declared a statewide state of disaster emergency related to public health under the Arkansas Emergency Services Act of 1973, § 12-75-101 et

seq., for the purpose of meeting and mitigating the impact of coronavirus 2019 (COVID-19) on the healthcare system of Arkansas; the Delta Variant of coronavirus 2019 (COVID-19) has infected thousands of Arkansans in recent months and infections and hospitalizations continue to rise at an alarming rate, placing the accessibility to healthcare facilities for all Arkansans at risk; that the 2021-2022 public school year will begin in the month of August while the Delta Variant of coronavirus 2019 (COVID-19) has placed the state in a public health emergency; and that this act is immediately necessary to ensure that students and staff members of public school districts have adequate health and safety protections in place for the upcoming school year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.