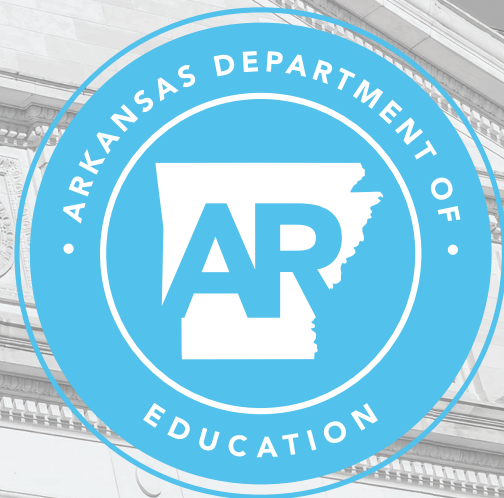


# Arkansas Education Legislation Review 94th General Assembly

Prepared by the  
**Arkansas Department of Education**  
June 2023





## Arkansas Department of Education

Four Capitol Mall • Little Rock, Arkansas • 72201-1030 • (501) 682-4475 • Fax (501) 682-1079

Sarah Huckabee Sanders  
Governor

Jacob Oliva  
Secretary

Dear Educators:

During the 2023 legislative session, many new education laws were passed that impact schools around the state. To help navigate and understand the new policies, the Arkansas Department of Education prepared this resource guide. We hope this resource is helpful as districts prepare for the 2023-2024 school year.

One of the highlights of the 2023 session is the overwhelming support for Gov. Sarah Huckabee Sanders' LEARNS Act (Act 237). The LEARNS Act is a historic win for Arkansas' students! This bold, education reform law will transform education in Arkansas unlike any other initiative, effort, or law in the past.

As we prepare for the next school year, we will work together with parents, educators, and communities to implement these robust education reforms. We look forward to the work ahead and providing continued support that will result in improved student learning and success in life.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jacob Oliva", is written over a blue circular stamp.

Jacob Oliva  
Secretary



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

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## QUICK REFERENCE GUIDE

Act Number	Bill Number	Topic	Requires review of local policy and/or School Board action	Requires change to district documentation	Requires additional information to be disseminated to parents	Requires information posted on district website	Requires information submitted to State	Related to funding	Related to student instruction or advising	Other
11	HB 1023	Purchase of United States and Arkansas Flags by a public entity with public funds						X		
20	HB 1017	Employment	X	X		X		X		
21	HB 1028	Replacing the term "child pornography" with the term "child sexual abuse material" in the Arkansas code								X
26	HB 1122	Dates for beginning and ending of school year	X						X	
43	HB 1112	Student Residency	X							
48	SB 68	Holocaust Education Week							X	
100	HB 1091	Employment	X							
101	HB 1157	Water Safety Information			X					
128	HB 1161	Support for Pregnant and Parenting Students	X		X					
165	SB 59	Physical Force								X
189	SB 232	School Choice	X							X
237	SB 294	Arkansas LEARNS	X	X	X	X	X	X	X	X
238	HB 1238	Enhanced Transportation Funding						X		
242	HB 1329	Standards for Accreditation	X						X	
243	HB 1336	Agriculture Education Pilot Program in Elementary Schools							X	



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275	SB 200	Higher education tuition						X	X	
276	SB 276	School elections								X
286	HB 1315	Seizure Safe Schools	X	X						
290	HB 1393	Mental Health Awareness								X
317	HB 1156	Same sex sleeping quarters and multiple occupancy restrooms/changing areas.	X							
347	SB 190	Public School District Waivers								X
372	SB 881	School Libraries	X		X	X				
416	HB 1463	State Board of Education rules for a tiered system of licensure and the type of license issued to certain applicants in an alternative educator preparation program					X			
418	HB 1471	Repeal	X							
423	HB 1533	School Performance								X
424	HB 1534	School Elections		X						X
425	HB1535	School Board	X							X

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426	HB 1030	Exchange Student Residency Requirements	X						X	
438	HB 1333	Scholarships								X
448	HB 1527	Excused student absences for certain activities or programs	X							
461	SB 262	Administrative Consolidations/Annexations								X
504	HB 1369	Cybersecurity	X							
506	HB 1462	Waiver of Certain Fees/Costs for Unaccompanied Homeless Youth and Youth In Foster Care	X	X						
510	HB 1555	Cybersecurity	X							
511	HB 1559	Implicit Bias Training Required By A Public School Or State-Sponsored Institution Of Higher Education	X	X						
514	HB 1576	Creating a Respectful and Open World for Natural Hair ("CROWN" Act)	X							
539	HB 1417	Arkansas Academic Challenge Scholarship Program and Approved Institutions of Higher Education; The Higher Education Grants Fund Account					X			X

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542	HB 1468	Student Pronouns, Titles, and Names	X							
543	HB 1504	"Act 60" administrative consolidation								X
546	HB 1529	Adult Education								X
547	HB 1531	Petition concerning form of school district board of directors	X							
548	HB 1538	Professional Development Schedule Required For Licensed School Personnel And Definition Of "Basic Contract" Under The Teacher Compensation Program Of 2003	X	X			X			
621	SB 285	Excused absence for student attending a scheduled election	X							
630	SB 361	Homeschool Students and Interscholastic Activities	X						X	
633	SB 364	State Board Assumption of Authority								X
635	SB 378	Computer Science Teacher	X							
637	SB 384	Instruction on Adoption Awareness			X				X	
638	SB 387	Military Child School Transitions Act	X							
640	SB 416	Imagination Library								X

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642	SB 421	Coaching	X							
643	SB 432	Testing for Virtual Schools	X							
649	SB 458	School Choice for Military Families	X				X			
653	SB 466	Arkansas Student Protection Act	X							
654	SB 470	Career And Technical Education Credits/Pathways	X						X	
656	SB 477	No-Cost Meals for Qualifying Students	X					X		
662	SB 505	Early High School Diploma	X							
669	SB 568	Education Freedom Account Program						X		
720	HB 1489	Academic Credit for Community Service	X		X				X	
721	HB 1495	Deadline for school district to submit rate of tax for a school election	X							
723	HB 1526	Health and Safety courses to include breastfeeding information							X	
724	HB 1539	Repeal of Expelled Student Virtual/Alternative Learning Option	X						X	
729	HB 1590	School Calendar	X							

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731	HB 1604	Legal Transfers	X				X			
732	HB 1609	Teacher Licensure	X		X				X	
737	HB 1643	Automated External Defibrillators at Certain School-Sponsored Sporting Events and On Campuses of Institutions of Higher Education	X	X				X		
744	HB 1688	Funding						X		
745	HB 1691	School District Policies	X							
748	HB 1733	AAA - Interscholastic Activities	X							
750	HB 1739	Board Of Directors – Filing an Unexpired Term	X							X
754	HB 1757	Student Data Vendor Security Act	X	X	X					
756	HB 1775	Sick Leave	X							
764	SB 355	Storm Shelters in Educational Facilities								X
768	SB 400	AAA and Extracurricular Activities	X	X						
776	SB 473	Prohibition of withholding employee or retiree professional or labor organization dues, fees, or contributions	X							

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780	SB 510	School Board Policy	X							
781	SB 512	School District Personnel Policies	X			X				
782	SB 514	Committee on Personnel Policies for Classified Employees	X			X				
787	SB 554	School Safety	X							
788	SB 556	Religious Viewpoint and Antidiscrimination Act	X	X						
790	SB 570	School Choice Transfers	X		X					
791	SB 571	Demonstration of proficiency in science of reading	X						X	
792	SB 572	Background Checks	X	X			X			
793	SB 573	Title 6 Technical Corrections Bill	X					X	X	
802	HB 1192	Educational Service Cooperative Board membership and responsibilities								X
811	HB 1514	Opioid Overdose Rescue Kits	X				X			
850	HB 1795	Funding	X					X		
883	SB 543	School district boards of directors (various amendments to law)	X							





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 11

AN ACT TO REQUIRE FLAGS PURCHASED WITH PUBLIC FUNDS  
TO BE MADE AND MANUFACTURED IN THE UNITED STATES; AND  
FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1023
BILL SPONSOR(S)	Representatives Fortner and Painter
CO-SPONSOR(S)	Senator Flippo
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 25-1-126
RULE PROMULGATION	No

### **SUMMARY**

All United States and Arkansas flags purchased by a public entity with public funds must be manufactured in the United States. Public entities include public school districts and open-enrollment charter schools, as well as institutions of higher education.

### **HIGHLIGHTS**

- All United States and Arkansas flags purchased by public school districts, open-enrollment charter schools, and higher education institutions with public funds must be made and manufactured in the United States.
- “Public funds” is defined broadly.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 20

AN ACT TO AMEND THE LAW ALLOWING CERTAIN EMPLOYEES TO TAKE A LEAVE OF ABSENCE FOR EMERGENCY AND RESCUE SERVICES; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1017
BILL SPONSOR(S)	Representative Berry; Senator Bryant
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Arkansas Code § 21-4-104
RULE PROMULGATION	No

### SUMMARY

The law adds school district employees to the list of public employees who are entitled to paid leave to participate in emergency and rescue services training programs for the U.S. Civil Air Patrol, the U.S. Coast Guard Auxiliary, or the U.S. Office of Emergency Management.

### HIGHLIGHTS

- School district policies regarding employee leave will need to be updated to reflect new paid leave for eligible employees.
- School districts must continue to contribute their portion of life or disability insurance during the employee's leave period if the employee requests it so that continuous coverage may be maintained.

### IMPLEMENTATION TIMELINE

- Prior to the beginning of the 2023-2024 school year, districts will need to review employment policies.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 21

AN ACT TO REPLACE THE TERM “CHILD PORNOGRAPHY” WITH THE TERM “CHILD SEXUAL ABUSE MATERIAL” IN THE ARKANSAS CODE; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1028
BILL SPONSOR(S)	Representative C. Fite; Senator J. Petty
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 5-1-109; 5-4-703; 5-27-603; 5-27-604; 6-17-410; 6-17-414; 12-12-104; 12-12-903; 16-90-1101; 17-3-102; 18-16-112; 20-13-1106; 21-15-102; 21-15-103; 21-15-104.
RULE PROMULGATION	Yes

### SUMMARY

The term “computer child pornography” is replaced with the language “possession or use of child sexual abuse material” in the Arkansas Code. The term “child pornography” is replaced with “the existence of child sexual abuse material” in the Arkansas Code. The term “a computer” is replaced with the words “an online computer service” or “internet service” in the Arkansas Code.

### HIGHLIGHTS

- Ark. Code Ann. § 6-17-410 regarding certified employee background checks and disqualifying offenses now uses the term “possession or use of child sexual abuse material” in place of “computer child pornography.”
- Ark. Code Ann. § 6-17-414 regarding classified employee background checks and disqualifying offenses now uses the term “possession or use of child sexual abuse material” in place of “computer child pornography.”
- The disqualifying offense “computer child pornography” is now called “possession or use of child sexual abuse material.”



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 26

AN ACT TO AMEND THE LAW CONCERNING THE DATES FOR THE BEGINNING AND END OF THE SCHOOL YEAR; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1122
BILL SPONSOR(S)	Representatives Vaught, J. Mayberry, Cozart
CO-SPONSOR(S)	Senator K. Hammer
EFFECTIVE DATE(S)	January 30, 2023
STATUTE(S)	Ark. Code Ann. § 6-10-106
RULE PROMULGATION	No

### **SUMMARY**

The first day of school for student attendance in public elementary and secondary schools shall be on or after the Monday of the week in which August 19 falls, not earlier than August 14, and not later than August 26. The school start date shall be determined by the school district's Board of Directors. School may not be held on Labor Day. The Division of Elementary and Secondary Education may grant a school district a waiver to begin school on an earlier or later date if the division determines there exists "a material and substantial reason . . . due to very exceptional or emergency circumstances such as a contagious disease outbreak, inclement weather, or other acts of God."

### **HIGHLIGHTS**

- The act sets forth the earliest and latest dates on which school may start.
- The local Board of Directors determines the precise school start date.
- A school district may receive a waiver from these dates only for a "material and substantial reason."



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 43

AN ACT CONCERNING A STUDENT'S ATTENDANCE IN A SCHOOL DISTRICT OTHER THAN HIS OR HER SCHOOL DISTRICT OF RESIDENCE; TO AMEND THE LAW CONCERNING A STUDENT'S ELIGIBILITY TO ATTEND A SCHOOL DISTRICT WHEN HE OR SHE RESIDES ON A TRACT OF LAND LOCATED IN TWO SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

HOUSE/SENATE	HB1112
BILL SPONSOR(S)	Representative Warren
CO-SPONSOR(S)	Senator M. McKee
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-203
RULE PROMULGATION	No

### SUMMARY

If a student's principal place of residence is located in two school districts or on an undivided tract of land that is located in two school districts, the student may attend school in either of the districts.

### HIGHLIGHTS

- A student whose principal place of residence spans two school districts is considered a resident of both and may attend school in either district.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 48

AN ACT TO AMEND THE LAW THAT REQUIRES HOLOCAUST EDUCATION;  
TO ESTABLISH HOLOCAUST EDUCATION WEEK IN THE  
PUBLIC SCHOOLS OF THE STATE OF ARKANSAS; AND FOR  
OTHER PURPOSES.

HOUSE/SENATE	SB68
BILL SPONSOR(S)	Senators J. Dotson, Hester, C. Tucker, K. Hammer, Dees, J. Bryand, B. Davis, J. English, G. Leding, Stone, L. Chesterfield, M.McKee
CO-SPONSOR(S)	Representative Vaught
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-16-154
RULE PROMULGATION	No

### SUMMARY

The last full week of classes in January is designated “Holocaust Education Week,” during which students will receive education about the Holocaust. Annually, the Division of Elementary and Secondary Education will notify public school districts of the dates of Holocaust Education Week and encourage Holocaust education during that week.

### HIGHLIGHTS

- The last full week of classes in January is designated “Holocaust Education Week,” during which students will receive education about the Holocaust.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 100

AN ACT CONCERNING THE GED TEST; TO REQUIRE THAT THE PASSAGE OF A GED TEST BE TREATED THE SAME AS THE RECEIPT OF A HIGH-SCHOOL DIPLOMA; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1091
BILL SPONSOR(S)	Representative Dalby; Senator Hickey
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Arkansas Code § 6-16-1507
RULE PROMULGATION	No

### SUMMARY

This law makes passage of a GED test, or a nationally-recognized equivalent, the same as getting a high school diploma for purposes of employment with the state or a political subdivision (counties, municipalities, school districts, public charter schools, special improvement districts, and public institutions of higher education).

### HIGHLIGHTS

- Superintendents and directors of public charter schools will have to treat otherwise-qualified applicants for employment the same, whether they have a GED or a high school diploma.
- Students will have equal treatment by the state whether they graduate with a high school diploma or pass a GED test.

### IMPLEMENTATION TIMELINE

- Prior to the beginning of the 2023-2024 school year, districts will need to review employment policies.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 101

AN ACT TO REQUIRE PUBLIC SCHOOL DISTRICTS AND OPEN ENROLLMENT PUBLIC CHARTER SCHOOLS TO PROVIDE INFORMATION TO PUBLIC SCHOOL STUDENTS REGARDING WATER SAFETY EDUCATION COURSES AND SWIMMING LESSONS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1157
BILL SPONSOR(S)	Representatives Representatives Bentley, Beck, K. Brown, Crawford, Duffield, Evans, C. Fite, Gramlich, Haak, 6 Hawk, D. Hodges, Ladyman, Long, McAlindon, Painter, Pilkington, S. Richardson, Rose, Rye, Schulz
CO-SPONSOR(S)	Senator J. Dotson
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-16-156
RULE PROMULGATION	Yes

### SUMMARY

Beginning with the 2023-24 school year, each public school district and open-enrollment charter school must provide information concerning the importance of water safety education to parents, legal guardians, persons standing in loco parentis, or to students over the age of 18. "Water safety" means age-appropriate education intended to promote safety in, on, or around bodies of water with the goal of reducing the risk of injury or drowning. The information must include local options for water education courses and swimming lessons that result in a certificate of completion that are offered for free or at a reduced price.

### HIGHLIGHTS

- Water safety information and resources must be provided beginning with the 2023-24 school year.
- Information may be provided electronically or via hard copy and must include local options for water safety education courses and swimming lessons offered for free or at a reduced price.
- The Division of Elementary and Secondary Education will promulgate rules to implement this act.

## **IMPLEMENTATION TIMELINE**

- Water safety information and resources must be provided beginning with the 2023-24 school year.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 128

### AN ACT TO CREATE THE SUPPORT FOR PREGNANT AND PARENTING STUDENTS ACT; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1161
BILL SPONSOR(S)	Representative Hudson; Senator C. Tucker
CO-SPONSOR(S)	Representatives Pilkington, Ennett, D. Garner, Gramlich, McCullough, Ray, Brooks  Senators L. Chesterfield, B. Davis, Dees, J. Dotson
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-18-224
RULE PROMULGATION	No

#### SUMMARY

The bill provides additional supports for pregnant and parenting students. These supports include additional excused absences due to conditions related to pregnancy or parenting, reasonable accommodations for a lactating student to express breast milk and securely store breast milk, and access to childcare or information about local childcare options.

#### HIGHLIGHTS

- Districts and Open-Enrollment Public Charter Schools must amend their attendance policy to include excused absences due to conditions that are related to pregnancy or parenting. These conditions include but are not limited to the following:
  - Labor, delivery, and recovery;
  - A prenatal and postnatal medical appointment and other medically-necessary, pregnancy-related absences;
  - The illness or medical appointment of a child belonging to a parent who is enrolled in the district or charter; and

- A legal appointment related to pregnancy or parenting, including, without limitation, appointments regarding:
  - Adoption;
  - Custody; and
  - Visitation
- A parenting mother and parenting father shall receive a minimum of 10 excused absences after the birth of a child, and these absences shall not count towards the requirements to drop or dismiss a student who misses 10 consecutive days.
- Students shall be allowed to make up missed work in a reasonable amount of time, that shall be no less than the number of days the student was absent.
- Validation of an excused absence or checkout under this section will include documentation from a student's physician or permission from a parent, legal guardian, or person standing in loco parentis.
- Districts and charters shall provide reasonable accommodations and time for a lactating student on campus to express breast milk, breastfeed, or address other breastfeeding needs.
- Districts and charters will provide a secure place to store breast milk and access to a location to clean a breast pump and other equipment used to express breast milk.
- Districts and charters shall adopt a policy relating to student access to childcare provided by the district or charter.
- For districts and charters that do not provide childcare, they shall provide information to parenting students regarding available childcare providers.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 165

AN ACT CONCERNING THE USE OF PHYSICAL FORCE; TO AMEND THE LAW WITH RESPECT TO CIRCUMSTANCES THAT JUSTIFY THE USE OF PHYSICAL FORCE UPON ANOTHER PERSON; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB59
BILL SPONSOR(S)	Senator L. Chesterfield
CO-SPONSOR(S)	Representatives J. Richardson, Achor
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 5-2-601; 5-2-605
RULE PROMULGATION	No.

### SUMMARY

This bill updated the law to define a school employee as anyone working for a school under a written contract. The bill also amended the law to authorize school employees to use reasonable and appropriate physical force on a minor or incompetent person in certain circumstances.

### HIGHLIGHTS

- A school employee is defined as a person employed by a school under a written contract, including licensed and classified school employees.
- School employees may use reasonable and necessary physical force against a minor or incompetent person to maintain discipline, promote welfare, or in defense of themselves or another person.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 189

AN ACT CONCERNING A STUDENT'S ATTENDANCE IN A NONRESIDENT SCHOOL DISTRICT; TO ALLOW A STUDENT WHOSE PARENT OR LEGAL GUARDIAN RELOCATES HIM OR HER TO A DIFFERENT SCHOOL DISTRICT TO COMPLETE HIS OR HER REMAINING SCHOOL YEARS AT THE SCHOOL DISTRICT IN WHICH HE OR SHE IS ENROLLED AT THE TIME OF THE RELOCATION; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB232
BILL SPONSOR(S)	Senator A. Clark; Representative Lundstrum
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Arkansas Code § 6-18-203
RULE PROMULGATION	No.

### SUMMARY

This allows students who move out of their resident district to remain enrolled in what is now their non-resident district. The student would not have to use the school choice law to transfer back into the non-resident district.

### HIGHLIGHTS

- The school district from which the student moves would not be responsible for providing transportation to the student. Parents will be responsible for transporting the student to the non-resident district.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 237

AN ACT TO CREATE THE LEARNS ACT; TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE AS THEY RELATE TO EARLY CHILDHOOD THROUGH GRADE TWELVE (12) EDUCATION IN THE STATE OF ARKANSAS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB294
BILL SPONSOR(S)	Senator B. Davis, Representative Brooks Senators Hester, Irvin, J. Dismang, J. English, G. Stubblefield, Flipppo, B. Johnson, D. Wallace, Hill, M. Johnson, K. Hammer, D. Sullivan, Gilmore, M. McKee, C. Penzo, J. Boyd, J. Petty, J. Bryant, Crowell, Stone, Dees, J. Payton, J. Dotson, A. Clark, Representatives M. Shepherd, McCollum, B. McKenzie, Pilkington, S. Meeks, Wardlaw, Eubanks, Cozart, Womack, C. Fite, Lundstrum, Bentley, Gonzales, Beck, K. Brown, Richmond, Fortner, Cavanaugh, Maddox, Barker, Rye, Hollowell, Watson, Lynch, Wing, Crawford, L. Johnson, C. Cooper, Breaux, Evans, McGrew, Ray, Beaty Jr., McClure, Milligan, Haak, John Carr, Underwood, Furman, G. Hodges, J. Moore, Achor, Burkes, Hawk, McAlindon, M. Brown, Rose, Puryear, Gramlich, Painter, Duffield, Unger, R. Scott Richardson, Andrews
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	
RULE PROMULGATION	Yes.

### SUMMARY

This law represents the most comprehensive education reform in the history of Arkansas. The 145-page law amends numerous provisions in Arkansas Code impacting early childhood through grade 12. Highlights of the law are listed below.

For a more in-depth look at ADE's implementation of the LEARNS Act, visit <https://learns.ade.arkansas.gov/>.

## HIGHLIGHTS

The Act does the following:

- Requires that school resource officers attend a training in youth mental health as required by the State Board of Education. (Section 2)
- Grants the State Board of Education the authority to administer the state's early learning and education system. (Section 3)
- Includes changes for contracts and school board policies. (Section 4 - 6)
- Makes additions to the Safe Schools Initiatives Act including human trafficking training requirements, requiring youth mental health training for all personnel who interact with students, requiring the establishment of behavioral threat assessment teams, clarifying roles of school resources officers, certified school security officers and intentional law enforcement officers regarding school discipline, establishing district safety and security teams, establishing comprehensive communication plans, and addressing cybersecurity policies and procedures . (Section 8)
- Adds information about literacy screener requirements and reporting to statewide assessment. (Section 11)
- Makes changes to Student Success Plans. (Section 12 -13)
- Allows schools that have a D or F rating or are classified as in need of Level 5 – Intensive Support to avoid state sanctions by entering into transformation contracts. (Section 14)
- Amends community service hours as a requirement for graduation beginning with the entering freshman class of 2023-2024. (Section 15)
- Creates requirements related to prohibited indoctrination and human trafficking prevention and instruction. (Section 16)
- Amends the Digital Learning Act. (Section 17-19)
- Creates the Arkansas High-Impact Tutoring Pilot Program, Course Choice Program, High School Career-Ready Pathways to Diploma, and Community Service Diploma Requirement. (Section 20)
- Adds sections about paid maternity leave and superintendent performance targets. (Section 21)

- Amends mandatory reporting of qualifying offenses for licensed employees and all district employees. (Section 23-24)
- Adds registered volunteers as “educators” with regard to ethical violations. (Section 25)
- Amends language concerning mandatory reporting of ethical violations. (Section 26)
- Adds notification requirement in the Right to Read Act for using unapproved curriculum. (Section 27)
- Adds audit timelines in the Right to Read Act for state-approved educator preparation programs. (Section 28)
- Additions to the Right to Read Act (Section 29):
  - a. provides literacy coaches for low-performing schools;
  - b. establishes a literacy tutoring grant program;
  - c. requires parent notification, in language preferred by the parent, of students’ reading progress after each assessment;
  - d. requires individual K-3 reading plans for low-performing students;
  - e. prohibits the promotion of students who haven’t met third-grade reading standards, unless good cause exemptions apply; and
  - f. requires an annual statewide evaluation of reading strategies by outside vendor.
- Requires that traditional districts and open-enrollment public charter schools create a math intervention plan for students in grades 3-8 who are not performing at or above grade level on the state assessment, provide high-impact teacher intervention, and provide parental notification of plan progress. (Section 30)
- Repeals Teacher Fair Dismissal Act and Public School Employee Fair Hearing Act. (Section 33 & 34)
- Amends the Teacher Compensation Program of 2003. (Section 35)
  - a. Increases the minimum base salary to \$50,000.
  - b. Requires a \$2,000 salary increase for current teachers making \$49,000 and above.

- Creates the Merit Teacher Incentive Fund Program. (Section 37)
- Amends the Opportunity School Choice Act and Public School Choice Act of 2015 so capacity cannot be based on a numerical net maximum unless required by an enforceable desegregation court order or a district's court-approved desegregation plan. (Section 38 & 39)
- Increases the state income tax credits awarded for the Philanthropic Investment in Arkansas Kids Program Act to \$6 million per calendar year. (Section 41)
- Creates the Arkansas Children's Educational Freedom Account Program to allow parents to direct funds, based on an amount equal to 90% of the prior year's statewide foundation funding, to the participating private school of their choice. (Section 42)
  - a. This program will begin in the 2023-2024 school year with participation narrowed to students classified as homeless, in foster care, students with disabilities, students currently participating in the Succeed Scholarship Program who elect to enroll, children of active-duty military personnel, students in a school that has received an "F" rating or in a district classified as Level 5, or a student enrolling in kindergarten for the first time.
  - b. The participation pool will expand in the 2024-2025 school year, and the program will be fully implemented in the 2025-2026 school year.
- Creates the Transportation Modernization Grant Program to allow rural and remote school districts to improve access to public schools and child care centers. (Section 44)
- Amends background check requirements for registered volunteers at school. (Section 46)
- Removes the limitation on the number of charters that may be granted each year, eliminates barriers to creation of new open-enrollment public charter schools, and creates an expedited renewal process. (Section 47-49)
- Authorizes the State Board of Education to provide for an open-enrollment public charter school facilities funding program, subject to appropriations. (Section 50)
- Amends required screening and interventions for K-3 and adds other requirements. (Section 51)
- Repeals the Succeed Scholarship Program. (Section 52)
- Adds workforce reporting and information requirements to Vocational and Technical Education. (Section 53)

- Amends definitions of high school course credit for Postsecondary and Higher Education. (Section 54)
- Adds career-ready pathway language to the minimum core course for college and career prep. (Section 55)
- Increases the amount of student loan repayment (forgiveness) for the State Teacher Education Program to \$6,000 per year. (Section 56)
- Creates the Arkansas Teacher Academy Scholarship Program Act to incentivize potential and enrolled attendees to enter the teaching profession and commit to teaching in public schools or critical shortage areas. (Section 57)
- Creates the Unified Early Childhood Care and Education System. (Section 58)
- Adds Department of Education to receiving parties for criminal background checks. (Section 64)
- Allows the Department of Education and the Department of Human Services to transfer criminal background checks between the two agencies. (Section 65)
- The following transferred from the Department of Human Services to the Department of Education (Section 71):
  - a. The Division of Child Care and Early Childhood Education
  - b. The Child Care Appeal Review Panel
  - c. The Arkansas Early Childhood Commission





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 238

AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE CONCERNING ENHANCED TRANSPORTATION FUNDING AMOUNTS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1238
BILL SPONSOR(S)	Representative Cozart
CO-SPONSOR(S)	Senator K. Hammer
EFFECTIVE DATE(S)	March 10, 2023
STATUTE(S)	Ark. Code Ann. § 6-20-2309
RULE PROMULGATION	No.

### SUMMARY

The act updates enhanced transportation funding amounts for the 2023-2024 school year. This funding is in addition to foundation funding.

### HIGHLIGHTS

- The act updates enhance transportation funding amounts for the 2023-24 school year.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 242

AN ACT CONCERNING ACADEMIC STANDARDS ESTABLISHED BY THE DIVISION OF ELEMENTARY AND SECONDARY EDUCATION; TO REQUIRE THE DIVISION OF ELEMENTARY AND SECONDARY EDUCATION TO INCLUDE IN THE ACADEMIC STANDARDS A MEANS BY WHICH PUBLIC SCHOOL STUDENTS MAY SUBSTITUTE COMPARABLE ELECTIVE COURSEWORK IN CAREER AND TECHNICAL EDUCATION FOR REQUIRED CORE ACADEMIC CLASSES; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1329
BILL SPONSOR(S)	Representative R. Scott Richardson; Senator J. English
CO-SPONSOR(S)	Representatives Andrews, Beaty Jr., Joey Carr, G. Hodges, McClure, Rye; Senator J. Dotson
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Arkansas Code § 6-15-2906
RULE PROMULGATION	Yes

### SUMMARY

This creates a means by which a student can substitute comparable elective career and technical education coursework in lieu of core academic classes that are required for graduation under the Standards for Accreditation. Students will have a two-track system toward high school graduation. A student could either take the core academic classes to satisfy graduation requirements under the SFA, or the student could take CTE classes that have comparable coursework approved by the department and submit that coursework to satisfy requirements for the academic classes.

### HIGHLIGHTS

- There will be CTE courses that districts can offer students to provide them with alternate pathways to high school graduation.

### IMPLEMENTATION TIMELINE

- The Career and Technical Education with Embedded Academics Certification Committee will meet with DESE to review academic standards and establish an approval process for substitute comparable elective coursework for the 2024-2025 school year.

- Rules promulgation is necessary; Standards for Accreditation will be amended to align with the law.

DATE	ACTION
By December 15	A crosswalk document will be produced that shows the alignment of relevant core academic standards to the career and technical education standards and will be submitted to DESE.
By February 1	DESE will certify the alignments proposed in the crosswalk document.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 243

### AN ACT TO CREATE AN AGRICULTURAL EDUCATION PILOT PROGRAM IN PUBLIC ELEMENTARY SCHOOLS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1336
BILL SPONSOR(S)	Representative B. Cozart
CO-SPONSOR(S)	Senator K. Hammer
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-16-156
RULE PROMULGATION	No

#### **SUMMARY**

Beginning with the 2025-26 school year, the Division of Elementary and Secondary Education may establish, in consultation with agriculture industry stakeholders (including the Arkansas Department of Agriculture), an agriculture education pilot program for elementary schools, affording local school districts the opportunity to apply for the program. The act outlines the model of the program, as well as curriculum requirements (which would be established by the division in consultation with industry stakeholders, with input from agriculture and general education teachers).

#### **HIGHLIGHTS**

- This law authorizes the division, in consultation with agriculture industry stakeholders, to create an elementary school agriculture education pilot program based upon the model set forth in the act.
- The division, in consultation with agriculture industry stakeholders and with input from agriculture and general education teachers, will develop the curriculum.
- Division and agriculture stakeholders may evaluate the programs' impact and success.
- School districts may hire an agriculture education teacher.

#### **IMPLEMENTATION TIMELINE**

- The pilot program may be established beginning with the 2025-26 school year
- Programs may be evaluated upon completion of the third year



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 275

AN ACT TO AMEND VARIOUS PROVISIONS OF LAW RELATED TO TUITION BENEFITS FOR SOLDIERS AND AIRMEN OF THE ARKANSAS NATIONAL GUARD; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB200
BILL SPONSOR(S)	Senator J. English; Representative M. Berry
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Arkansas Code § 6-60-214
RULE PROMULGATION	No

### SUMMARY

This law expands higher education tuition-free benefits to include more military or Arkansas National Guard personnel. Previously, tuition-free benefits were limited to members of the military who were Arkansas residents in degree programs with a maximum of 120 hours.

### HIGHLIGHTS

- Military students from out-of-state would be eligible for tuition-free benefits under certain circumstances.
- Military students could receive exemptions from the 120-hour degree program cap.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 276

AN ACT TO AMEND THE CANDIDATE FILING PERIOD FOR A POSITION ON A SCHOOL DISTRICT BOARD OF DIRECTORS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB276
BILL SPONSOR(S)	Senator K. Hammer; Representative S. Painter
CO-SPONSOR(S)	Representative Wing et. al
EFFECTIVE DATE(S)	March 16, 2023
STATUTE(S)	Arkansas Code § 6-60-214
RULE PROMULGATION	No

### **SUMMARY**

This law changes the date that a school board candidate's petition, affidavit of eligibility, and political practices pledge must be filed with the county clerk. Previously, the filing deadline was 90 days before the general election in November. Now the deadline is 90 days before the school election in November.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 286

### AN ACT TO CREATE THE SEIZURE SAFE SCHOOLS ACT; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1315
BILL SPONSOR(S)	Representatives Ennett, Fortner, D. Garner, Haak, L. Johnson, J. Mayberry, Rye
CO-SPONSOR(S)	Senator L. Chesterfield
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-720

#### SUMMARY

By the 2024-25 school year, public and private schools must have at least two employees at each school trained to recognize signs and symptoms of seizures and administer or assist with the self-administration of medication prescribed to meet seizure disorder symptoms. This includes rescue medication and a manual dose of electrical stimulation using a vagus nerve stimulator magnet. Before the administration of medication, a student's parent or guardian must provide written authorization, an instructional statement from the student's healthcare provider, the medication, and collaborate with school personnel to create a seizure action plan. Schools also must provide seizure recognition and seizure first aid steps training every two years to school personnel with direct contact and supervision of children, as well as develop an age-appropriate seizure education program. These requirements apply only to a school that has a student enrolled who has a seizure disorder and who is prescribed seizure medication.

#### HIGHLIGHTS

- This law applies to public and private schools that have a student enrolled who has a seizure disorder and who is prescribed seizure medication.
- Two school employees must be trained in recognition of seizure symptoms and administration of seizure medications, one of whom may be a full-time school nurse. Prior to the administration of medication, a student must have a seizure action plan, and the parent/guardian must provide the medication, a written consent, and other documentation. This remains in effect for one year.

- Every two years, schools must train school personnel who have direct contact and supervision of children concerning seizure recognition and seizure first aid steps.
- An age-appropriate seizure education program must be developed.

#### **IMPLEMENTATION TIMELINE**

- By the 2024-25 school year, public and private schools must have at least two employees at each school trained to recognize signs and symptoms of seizures and administer or assist with the self-administration of medication prescribed to meet seizure disorder symptoms, including rescue medication, and a manual dose of electrical stimulation using a vagus nerve stimulator magnet.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 290

### AN ACT TO CREATE MENTAL HEALTH AWARENESS WEEK IN PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1393
BILL SPONSOR(S)	Representative Pearce; Senator B. Johnson
CO-SPONSOR(S)	Representatives Berry, M. Brown, Joey Carr, Cavanaugh, Dalby, Duffield, Eubanks, Evans, K. Ferguson, Jean, J. Mayberry, J. Moore, Painter, Puryear, Schulz, Steimel, Unger, Walker, Wardlaw, Wooldridge
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-16-160
RULE PROMULGATION	No

## SUMMARY

This bill recognizes the first full week of classes in May each year in Arkansas schools as “Mental Health Awareness Week.”

## HIGHLIGHTS

- Each year the first full week of classes in May shall be known as “Mental Health Awareness Week.”

## IMPLEMENTATION TIMELINE

May 2024      First full week of classes must be recognized as “Mental Health Awareness Week.”



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 317

AN ACT CONCERNING A PUBLIC SCHOOL DISTRICT OR OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL POLICY RELATING TO THE SEX OF A PUBLIC SCHOOL STUDENT WHO ATTENDS A PUBLIC SCHOOL SPONSORED OR SUPERVISED OVERNIGHT TRIP; CONCERNING THE DESIGNATION OF A MULTIPLE OCCUPANCY RESTROOM OR CHANGING AREA BASED ON AN INDIVIDUAL'S SEX; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1156
BILL SPONSOR(S)	Representative M. Bentley, K. Brown, C. Crawford, D. Hodges, J. Ladyman, W. Long, R. Lundstrum, M. McAlindon, J. Miller, R. Rose, D. Tosh, S. Barker
CO-SPONSOR(S)	Senator D. Sullivan
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-10-137
RULE PROMULGATION	No

### SUMMARY

Students on overnight trips may only share sleeping quarters with members of the same sex unless members of the opposite sex are immediate family. Likewise, only students of the same sex may be present in “multiple occupancy restrooms or changing areas,” which must be identified as for exclusive use by males or by females. Exceptions to these prohibitions are available for custodial, maintenance, and inspection purposes, to render emergency medical assistance, and to address an ongoing emergency (including a physical altercation), as well as for those needed to comply with the Americans with Disabilities Act or when needed to assist young children. Single-occupancy sleeping quarters, restrooms, and changing areas may be provided as a “reasonable accommodation.” Allegations of noncompliance against educators and administrators shall be referred to the Professional Licensure Standards Board. A private right of action also is created if a student is required to share sleeping quarters or multiple occupancy restrooms/changing areas in violation of the act.

### HIGHLIGHTS

- Only students of the same sex may share sleeping quarters on overnight trips unless they are immediate family members.

- Only students of the same sex may be present in multiple occupancy restrooms or changing areas, which must be identified for exclusive use by males or females.
- Exceptions exist for custodian, maintenance, and inspection purposes, as well as certain emergencies, and in order to comply with the Americans with Disabilities Act or assist young children.
- Alleged noncompliance by educators or administrators is reportable to the Professional Licensure Standards Board; the act also creates a private right of action against the school district under certain circumstances.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 347

AN ACT CONCERNING PUBLIC SCHOOL DISTRICT WAIVERS;  
TO AMEND THE PROCESS BY WHICH A PUBLIC SCHOOL DISTRICT MAY  
OBTAIN A WAIVER; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB190
BILL SPONSOR(S)	Senator R. Murdock
CO-SPONSOR(S)	Representatives Cozart, Vaught
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-15-103
RULE PROMULGATION	Amendment will be needed

### SUMMARY

When a public school district petitions the State Board for all or some of the waivers granted to an open-enrollment charter school, the State Board shall use the same criteria as is used for open-enrollment charter school waivers in considering the district's waiver petition. The State Board may revoke a previously-granted waiver only for cause after providing a 15-day notification to the superintendent and board president of the applicable district.

### HIGHLIGHTS

- The State Board shall use the same criteria that is used for open-enrollment charter schools when considering a school district's waiver petition.
- The State Board may revoke a previously-granted waiver for cause following a 15-day notification to the applicable district's superintendent and president.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 372

AN ACT TO AMEND THE LAW CONCERNING LIBRARIES AND OBSCENE MATERIALS MADE AVAILABLE TO MINORS; TO AMEND THE LAW CONCERNING THE POSSESSION, SALE, DISTRIBUTION, OR FURNISHING OF OBSCENE MATERIALS; TO CREATE THE OFFENSE OF FURNISHING A HARMFUL ITEM TO A MINOR; TO AMEND THE CRIMINAL CODE IN RELATION TO OBSCENE MATERIALS LOANED BY A LIBRARY; TO ALLOW A PARENT OR LEGAL GUARDIAN OF A MINOR TO ACCESS THE MINOR'S LIBRARY RECORDS; TO PROVIDE FOR A CIVIL CAUSE OF ACTION AGAINST GOVERNMENTAL ENTITIES THAT POSSESS, SELL, OR DISTRIBUTE OBSCENE MATERIALS; TO AMEND THE LAW CONCERNING THE PROCESS FOR CHALLENGING MATERIALS INCLUDED IN A LIBRARY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB81
BILL SPONSOR(S)	Senator D. Sullivan; Representative Gonzales
CO-SPONSOR(S)	Senator M. Bentley; Representative M. Stone
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 5-27-212; 5-68-308; 5-68-405; 6-25-105; 13-2-106; 13-2-704
RULE PROMULGATION	No

### SUMMARY

This bill amended the law to eliminate the defense of school and public library employees regarding state standards defining and regulating obscenity. This bill also requires that public school districts and open-enrollment public charter schools have a written policy to establish guidelines for the selection, relocation, and retention of materials. Public libraries also are required to have written policies establishing guidelines for the selection, relocation, and retention of materials.

### HIGHLIGHTS

- If a person working in a library knowingly loans material that is obscene, then he or she is guilty of a Class D felony.

- Districts and charters, unless they have a waiver of Ark. Code Ann. § 6-25-105, must have a written policy for the establishment of guidelines for selection, relocation, and retention of materials physically located in their media centers.
- Parents, guardians, and school district employees may challenge materials.
- Districts and charters determine if the material remains in circulation while being challenged.
- Districts and charters must provide written policies and a challenge form to all parents or employees who want to challenge material.
- Districts and charters must select a challenge committee composed of licensed personnel.
- The committee shall meet after committee members have reasonable time to adequately review the material being challenged.
- The challenger shall have time to present his or her concerns to the committee.
- The committee shall vote in an open meeting to determine whether the material shall be relocated to an area inaccessible to minors.
- The committee shall write a summary of the reasons for the majority's decision.
- The challenger shall be provided the committee's decision by hand or via certified mail.
- The committee's decision can be appealed to the board of directors by submitting a written appeal to the superintendent within five working days of the committee's decision or written receipt of the committee's decision.
- The superintendent shall present the appeal to the board of directors within 15 days of the committee's decision.
- The board of directors shall review and make its decision within 30 days of receiving the information.
- A decision by the board of directors is final.
- All meetings regarding the challenge and appeal are to be open meetings, and material discussed and records submitted are public records under the Freedom of Information Act, Ark. Code Ann. § 25-19-101 et seq.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 416

AN ACT CONCERNING STATE BOARD OF EDUCATION RULES FOR A TIERED SYSTEM OF EDUCATOR LICENSURE; TO AMEND THE LAW CONCERNING THE TYPE OF LICENSE ISSUED TO CERTAIN APPLICANTS IN ALTERNATIVE EDUCATOR PREPARATION PROGRAMS.

HOUSE/SENATE BILL	HB 1463
BILL SPONSOR(S)	Representative L. Johnson; Senator J. Dotson
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-17-402; 6-17-409
RULE PROMULGATION	Will require amendment to rules

### SUMMARY

For some first-time licenses, individuals will not be required to take a test approved by the State Board of Education; rather, they will be required to meet licensure requirements approved by the State Board of Education as outlined in administrative rules. After meeting requirements for the issuance of a standard license or provisional license, a person may be approved for an Additional Licensure Plan to add an area of endorsement. Provisional licenses issued under this code section will be equivalent to a standard license for the purpose of applying for a Driver's Education Licensure Endorsement as part of an Additional Licensure Plan.

### HIGHLIGHTS

- For some first-time licenses, individuals will not be required to take a test approved by the State Board of Education; rather, they will be required to meet licensure requirements approved by the State Board of Education as outlined in administrative rules.
- These individuals include those applying for first-time licensure as a secondary-level teacher, an administrator in public schools, a licensed secondary-level teacher, a licensed elementary general education teacher, or an administrator applying for a license in an additional area.

- After meeting requirements for the issuance of a standard license or provisional license, a person may be approved for an Additional Licensure Plan to add an area of endorsement.
- Provisional licenses issued under this code section will be equivalent to a standard license for the purpose of applying for a Driver's Education Licensure Endorsement as part of an Additional Licensure Plan.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 418

AN ACT TO REPEAL THE REDUNDANT REPORTING REQUIREMENT THAT PUBLIC SCHOOL DISTRICT BOARDS OF DIRECTORS REVIEW AND APPROVE CERTAIN SALARY INCREASES; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1471
BILL SPONSOR(S)	Representative Hawk
CO-SPONSOR(S)	Senator Stone
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-13-635
RULE PROMULGATION	No

### **SUMMARY**

This law repeals the requirement in Ark Code Ann. 6-13-635 that school district boards of directors approve by resolution an increase in salary of a school district employee of five percent or more.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 423

AN ACT TO AMEND THE SCHOOL PERFORMANCE REPORT ACT; TO EXCLUDE CERTAIN STUDENTS FROM INCLUSION IN A SCHOOL'S DROP OUT RATE FOR PURPOSES OF A SCHOOL PERFORMANCE REPORT; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1533
BILL SPONSOR(S)	Representative Bruce Cozart; Senator Jane English
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Arkansas Code § 6-15-1402
RULE PROMULGATION	No

### **SUMMARY**

The state is required to produce a school performance report, which includes a public school's dropout rate. This law exempts students who pass a General Education Development test and students who transfer from a public school to a home school, private school, or parochial school.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 424

AN ACT TO REPEAL REQUIREMENTS PLACED ON SCHOOL DISTRICTS THAT HAVE A TEN PERCENT (10%) OR GREATER MINORITY POPULATION OUT OF THE TOTAL POPULATION; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1534
BILL SPONSOR(S)	Representative Cozart; Senator J. English
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Arkansas Code § 6-13-631 (repealed)
RULE PROMULGATION	No

### SUMMARY

This law repeals the law that required school districts with a minority population of 10 percent or greater to divide the school district into five or seven single-member zones. The previous law also had stipulations regarding the election of board members from single-member zones and required the district to rezone after the decennial census.

### HIGHLIGHTS

- All school districts may elect their board members from single-member zones, at large, or a combination of the two. Districts must still have a five-member or seven-member board.
- A post-census rezoning requirement for school districts is no longer required.
- Districts who were affected by the previous law are no longer required to report to the Department of Education whether or not they are exempt from the law and how they are complying with the law.
- Districts are still required to comply with the Voting Rights Act.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 425

AN ACT CONCERNING SCHOOL DISTRICT BOARDS OF DIRECTORS' MEETINGS; TO REQUIRE CERTAIN INFORMATION BE PROVIDED MONTHLY TO SCHOOL DISTRICT BOARDS OF DIRECTORS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1534
BILL SPONSOR(S)	Representative Cozart; Senator J. English
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Arkansas Code § 6-13-619
RULE PROMULGATION	No

### SUMMARY

This law requires that a report or presentation regarding a district's academic data and student performance be provided to the district's school board at its monthly meeting.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 426

### AN ACT CONCERNING AGE AND RESIDENCY REQUIREMENTS FOR ATTENDING PUBLIC SCHOOLS; TO EXPAND THE NUMBER OF INDIVIDUALS FOR WHOM PUBLIC SCHOOLS SHALL BE OPEN AND FREE; AND FOR OTHER PURPOSES

HOUSE/SENATE BILL	HB1030
BILL SPONSOR(S)	Representative Meeks
CO-SPONSOR(S)	Senator J. English
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	6-18-202 and 234
RULE PROMULGATION	No

#### SUMMARY

An international exchange student placed by an international student exchange visitor placement organization with a host family shall be enrolled by the host family's resident school district. The school district may require a quarantine period upon the student's arrival. Districts may establish a limit on the total number of exchange students it will accept at each of its schools each year, with the limit not to exceed one exchange student per 50 students at the school. The district also may require the visitor placement organization to provide certain documentation/certification and at least three weeks' notice prior to the beginning of the semester in which the student will attend.

#### HIGHLIGHTS

- Districts must accept international exchange students but may limit the number of students it will accept at each of its schools.
- School districts may choose whether to include students in state-mandated assessments and provide English-language services.
- Districts may require a pre-semester notice of three weeks and require a student to submit to quarantine as may be necessary to prevent the spread of infectious disease.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 438

AN ACT CONCERNING THE ARKANSAS CONCURRENT CHALLENGE SCHOLARSHIP PROGRAM; TO AMEND THE DEFINITION OF A STUDENT UNDER THE ARKANSAS CONCURRENT CHALLENGE SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB 1333
BILL SPONSOR(S)	Representative Lundstrum; Senator J. English
CO-SPONSOR(S)	Long, McAlindon, R. Scott Richardson, Rose, Underwood, Unger
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Arkansas Code § 6-85-402
RULE PROMULGATION	Yes

### **SUMMARY**

Under this law, 10th-grade students are eligible for the Arkansas Concurrent Challenge Scholarship Program. Under the previous law, only 11th- and 12th-grade students were eligible.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 448

AN ACT TO CLARIFY THE REQUIREMENT THAT PUBLIC SCHOOL DISTRICTS GRANT EXCUSED ABSENCES TO STUDENTS WHO PARTICIPATE IN 4-H ACTIVITIES OR PROGRAMS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1527
BILL SPONSOR(S)	Representatives Bentley, Beck, K. Brown, John Carr, C. Cooper, Crawford, Gramlich, Haak, D. Hodges, Ladyman, McAlindon, S. Meeks, R. Scott Richardson, Richmond, Rose, Rye, Vaught, Wing
CO-SPONSOR(S)	Senator Bryant
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-220
RULE PROMULGATION	No

### SUMMARY

Students may receive excused time off from school (with the maximum number of days to be determined by the district's board of directors) to participate in the following programs: (1) National FFA; (2) Arkansas Family, Career, and Community Leaders of America; and (3) 4-H. If students are allowed time off to participate in these activities, students must be given the opportunity to complete any missed schoolwork and not have their grade adversely affected by the absence. A school shall not allow an unexcused absence for these activities if the absence would occur during a statewide student assessment or if the student, due to disciplinary action, would otherwise be excluded from a school-sponsored educational field trip or extracurricular activity.

### HIGHLIGHTS

- Boards of directors may determine the maximum number of days for which students may receive an excused absence for participation in National FFA, Arkansas Family, Career and Community Leaders of America, and 4-H programs.
- A school shall not allow an unexcused absence for these activities if the absence would occur during a statewide student assessment or if the student, due to disciplinary action, would otherwise be excluded from a school-sponsored educational field trip or extracurricular activity.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 461

AN ACT TO AMEND THE PUBLIC EDUCATION REORGANIZATION ACT; TO REMOVE THE AUTHORITY OF THE STATE BOARD OF EDUCATION TO REQUIRE AN ADMINISTRATIVE CONSOLIDATION FOR CERTAIN SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB262
BILL SPONSOR(S)	Senators J. Payton, B. King, J. Dismang, Flippo, Irvin, B. Johnson, J. Petty, Stone
CO-SPONSOR(S)	Representatives Miller, C. Cooper, G. Hodges, Pearce
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	6-13-1601 et seq.
RULE PROMULGATION	(Amendment will be needed)

### SUMMARY

This law repeals the requirement that school districts with an ADM of fewer than 350 students for the two school years immediately preceding the current one must consolidate with or annex to one or more school districts. If a school district's ADM is fewer than 350 students in the year immediately preceding the current one, the district may submit a petition to the State Board seeking voluntary annexation or consolidation. The Division of Elementary and Secondary Education must publish a list of those school districts with an ADM of less than 350 in the immediate preceding year by January 1 of each year and will continue to oversee fiscal and accounting-related matters of those school districts, which includes approving contracts and debt obligations.

### HIGHLIGHTS

- The State Board may no longer require the administrative consolidation of school districts due to an ADM of less than 350 students for the two years immediately preceding the current one.
- A school district with an ADM of less than 350 students in the year immediately preceding the present one may voluntarily consolidate with or annex to one or more school districts.
- The division must oversee fiscal and accounting-related matters of school districts that had an ADM of less than 350 students in the year immediately preceding the current one, which includes the division's written approval of district contracts and debt obligations.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 504

AN ACT TO REQUIRE PUBLIC ENTITIES TO CREATE A POLICY CONCERNING THE AUTHORIZED USE OF TECHNOLOGY RESOURCES AND A CYBER SECURITY POLICY; TO AMEND THE DUTIES OF THE STATE CYBER SECURITY OFFICE; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB 1369
BILL SPONSOR(S)	Representative S. Meeks
CO-SPONSOR(S)	Senator J. English
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 25-1-126
RULE PROMULGATION	No

### SUMMARY

This law directs public entities, including the department, public school districts, public school district boards of directors, open-enrollment public charter schools, and institutions of higher education, to create technology resources policies. The policies define the authorized use of technology resources and cybersecurity policies for those technology resources based on the standards and guidelines set by the State Cyber Security Office. This also includes developing training programs to implement those policies.

### HIGHLIGHTS

- ADE shall, in coordination with the State Cyber Security Office, develop technology resource policies that shall be used by each type of state education institution and make those policies available to the public upon request.
- Public entities shall create a disciplinary procedure for violation of the policy.
- By October 1, each state entity must submit a cyber security policy to the State Cyber Security Officer for approval.
- Cyber security policies are exempt from FOIA.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 506

AN ACT TO AMEND THE LAW CONCERNING YOUTHS IN FOSTER CARE; TO CERTIFY UNACCOMPANIED HOMELESS YOUTHS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB 1462
BILL SPONSOR(S)	Representatives Scott, Brooks, Vaught, A. Collins
CO-SPONSOR(S)	Senator Irvin
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-61-142, 9-25-106, 20-18-306, 27-16-801, 27-16-805, 27-18-106
RULE PROMULGATION	No

### **SUMMARY**

This law directs the Arkansas Department of Human Services to develop a standardized form for school districts and others to use to certify that a child is an unaccompanied homeless youth. The certification may then be used to waive certain fees and costs, including for driver's licensure, driver's education programs, birth certificates, and transcripts. Youth in foster care likewise may not be charged fees for birth certificates, transcripts, driver's licenses, and driver's education.

### **HIGHLIGHTS**

- DHS must develop a form to be used by school districts, among others, to certify an unaccompanied homeless youth.
- Certain fees and costs must be waived for homeless students and youth in foster care, including those related to obtaining transcripts, driver's licenses, and copies of birth certificates.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 510

AN ACT TO AMEND THE REQUIREMENTS FOR MEETINGS TO ADDRESS A CYBERSECURITY INCIDENT INVOLVING, OR A CYBERATTACK ON A PUBLIC ENTITY; TO CLARIFY THAT CERTAIN INTERNAL POLICIES OR INTERNAL GUIDELINES CONCERNING A CYBERSECURITY INCIDENT INVOLVING, OR A CYBERATTACK ON, A PUBLIC ENTITY ARE NOT CONSIDERED RULES; TO ALLOW THE JOINT COMMITTEE ON ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY TO MEET IN CLOSED MEETINGS ON MATTERS CONCERNING A CYBERSECURITY INCIDENT INVOLVING, OR A CYBERATTACK ON, A PUBLIC ENTITY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB 1555
BILL SPONSOR(S)	Representative S. Meeks
CO-SPONSOR(S)	Senator J. English
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 10-3-309(b)(1)(B); 10-3-1708; 25-15-202(9)(B)
RULE PROMULGATION	No

### SUMMARY

This law clarifies that an agency or school district's policies and guidelines that are related to cybersecurity incidents and cyberattacks are not rules under the APA, are not subject to the Arkansas FOIA, and are not subject to ALC review. This law establishes a new section that exempts meetings of the Joint Committee on Advanced Communications and Information Technology that are related to a cybersecurity incident involving or a cyberattack on an agency or a school district from the FOIA's open meetings requirement and clarifies that all information discussed in those meetings is confidential.

### HIGHLIGHTS

- Closed meetings of the Joint Committee on Advanced Communications and Information Technology are limited to discussions regarding cybersecurity incidents or a cyberattack on an entity.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 511

AN ACT CONCERNING IMPLICIT BIAS TRAINING REQUIRED BY A PUBLIC SCHOOL OR STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1559
BILL SPONSOR(S)	Representative McAlindon
CO-SPONSOR(S)	Senator K. Hammer
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-17-122; 6-60-119
RULE PROMULGATION	No

### SUMMARY

Schools and state-supported institutions of higher education are prohibited from requiring employees to complete or participate in implicit bias training. Schools and institutions also are prohibited from taking adverse employment action against an employee for failure or refusal to complete or participate in implicit bias training. The State Board of Education shall not make implicit bias training a requirement for individuals seeking to obtain or renew educator licenses or for professional development.

### HIGHLIGHTS

- A new subsection of Title 6, Chapter 17 of the Arkansas Code is created to include prohibitions regarding implicit bias training, specifically that schools shall not require employees to participate in implicit bias training as defined by Act 511.
- Schools also may not take adverse employment action against employees for failure or refusal to complete or participate in implicit bias training.
- A school employee may leave a training that the employee is attending if the employee determines that the training addresses implicit biases; however, if an employee leaves the training, the employee shall have no recourse due to the employee's exposure to the training.
- Ark. Code Ann. § 6-60-119 is amended to include the same prohibitions listed above for state-supported institutions of higher education.

- An institutional employee may leave a training that the employee is attending if the employee determines that the training addresses implicit biases; however, if an employee leaves the training, the employee shall have no recourse due to the employee's exposure to the training.
- Institutions of higher education are not prohibited from requiring implicit bias training if at least 95% of the implicit bias training is required by an accreditor, grantor, or licensor.
- The State Board of Education shall not make implicit bias training a requirement for individuals seeking to obtain or renew educator licenses or for professional development.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 514

AN ACT TO ESTABLISH THE CREATING A RESPECTFUL AND OPEN WORLD FOR NATURAL HAIR (CROWN) ACT; TO PROHIBIT DISCRIMINATION BASED UPON NATURAL, PROTECTIVE, OR CULTURAL HAIRSTYLE IN PUBLIC SCHOOLS AND IN STATE SUPPORTED TWO-YEAR OR FOUR-YEAR INSTITUTIONS OF HIGHER EDUCATION; TO ADD DEFINITIONS TO THE ARKANSAS CIVIL RIGHTS ACT OF 1993; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1576
BILL SPONSOR(S)	Representative Scott
CO-SPONSOR(S)	Senator B. Davis
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-10-137, 6-61-142, 16-123-102
RULE PROMULGATION	No

### SUMMARY

This law prohibits public school districts and state-supported institutions of higher education from discriminating against students based upon their “natural, protective, or cultural hairstyle,” which includes afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls, and hair styled to protect hair texture or for cultural significance.”

### HIGHLIGHTS

- The law prohibits discrimination of students based upon their “natural, protective, or cultural hairstyle.”
- The law excludes the Division of Youth Services.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 539

AN ACT TO AMEND THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM TO INCLUDE VOCATIONAL-TECHNICAL SCHOOLS AND TECHNICAL INSTITUTES AS APPROVED INSTITUTIONS OF HIGHER EDUCATION; TO ENSURE THAT CERTAIN FUNDS FROM THE HIGHER EDUCATION GRANTS FUND ACCOUNT ARE EXPENDED ON STUDENTS ENROLLED IN A TECHNICAL INSTITUTE OR A VOCATIONAL-TECHNICAL SCHOOL; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1417
BILL SPONSOR(S)	Representative Lundstrum; Senator J. English
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-85-204; 6-85-222; 19-5-302
RULE PROMULGATION	Will require an amendment to rules

### **SUMMARY**

Public or private vocational-technical schools and institutes are now included in “approved institutions of higher education” for purposes of the Arkansas Academic Challenge Scholarship Program.

The public or private vocational-technical schools and institutes shall be bonded and insured.

An approved institution of higher education that is a private, nonprofit two- or four-year college or university shall be eligible to receive Title IV federal student aid funds.

Applicants for the Arkansas Academic Challenge Scholarship who have applied to or are currently enrolled in public or private vocational-technical schools or institutes must be accepted for admission in a program of study that leads to an associate degree or a certified program in high-demand fields as specified by law.

The Division of Higher Education must meet reporting requirements related to these new changes in the law. Two million dollars in funds shall be appropriated to the Higher Education Grants Fund Account to be distributed by the Division of Higher Education for awards to students who are enrolled in a technical institute or a vocational-technical institute.

## **HIGHLIGHTS**

- Students and applicants at public or private vocational-technical schools or institutes are now eligible for the Arkansas Academic Challenge Scholarship Program if the students are accepted into programs of study that lead to an associate degree or a certified program in the following high-demand fields: industry; health care; information technology.
- Students and applicants must also meet other relevant eligibility requirements for the scholarship program.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 542

AN ACT TO CREATE THE GIVEN NAME ACT; TO PROTECT FACULTY MEMBERS, TEACHERS, AND EMPLOYEES OF PUBLIC SCHOOLS AND STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FROM COMPELLED SPEECH; TO PROHIBIT REQUIRING FACULTY MEMBERS, TEACHERS, AND EMPLOYEES OF PUBLIC SCHOOLS AND STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION TO USE A PERSON'S PREFERRED PRONOUN, NAME, OR TITLE WITHOUT PARENTAL CONSENT; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1468
BILL SPONSOR(S)	Representatives Long, Richmond, Bentley, Breaux, Joey Carr, Crawford, Lundstrum, McAlindon, McClure, Milligan, Rose, Rye
CO-SPONSOR(S)	Senator M. Johnson
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-1-108
RULE PROMULGATION	No

### SUMMARY

This law prohibits faculty members, teachers, and other employees of public school districts, open-enrollment charter schools, and state-sponsored institutions of higher education from addressing an unemancipated minor or student under the age of 18 years of age with a pronoun or title that is inconsistent with the student's biological sex without written permission by the student's parent, legal guardian, or person standing in loco parentis. The same prohibition applies to using a name that is not listed on the student's birth certificate (or a derivative thereof). Faculty members, teachers, employees, and students may not be subject to an adverse employment or disciplinary action for refusing to use a pronoun, title, or name of a person that is contrary to the person's biological sex at birth or birth certificate. This law creates a cause of action for a person harmed by a violation of this law.

## HIGHLIGHTS

- This law prohibits faculty members, teachers, and other employees of public K-12 schools and higher education institutions from addressing students under the age of 18 (except emancipated minors) with a pronoun, title, or name inconsistent with their biological sex at birth and birth certificate without written parental permission.
- An employer's school may not take adverse action against any employee or disciplinary action against any student for refusing to use a pronoun, title, or name of a person contrary to biological sex at birth or on a birth certificate.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 543

AN ACT TO AMEND THE PUBLIC EDUCATION REORGANIZATION ACT; TO AMEND THE CONDITIONS UNDER WHICH A PUBLIC SCHOOL DISTRICT SHALL BE ADMINISTRATIVELY CONSOLIDATED BY THE STATE BOARD OF EDUCATION; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1504
BILL SPONSOR(S)	Representatives Long, Richmond, Bentley, Breaux, Joey Carr, Crawford, Lundstrum, McAlindon, McClure, Milligan, Rose, Rye
CO-SPONSOR(S)	Representative M. McElroy
EFFECTIVE DATE(S)	April 11, 2023
STATUTE(S)	Ark. Code Ann. 6-13-1603
RULE PROMULGATION	Amendment will be needed

### SUMMARY

If a school district falls below an average daily membership (ADM) of students for two consecutive years preceding the immediate school year, does not receive a minimum school district size waiver from the State Board, and does not find another district or districts with which to administratively annex to or consolidate with, the State Board must order a consolidation. An exception exists if the district is classified as in need of Level 5 – Intensive support and a student enrolled in the district would have to ride a bus for more than 40 miles to arrive at and attend a receiving district. If both of these conditions exist, the State Board may not administratively consolidate the district but must assume authority over it and remove the superintendent and any assistant superintendent. If one of these conditions ceases to exist, the State Board may proceed with the administrative consolidation.

### HIGHLIGHTS

- The State Board may not administratively consolidate a school district under Ark. Code Ann. 6-13-1601 et seq (but rather must assume authority over it) if the district is classified as in need of Level 5 – Intensive support and an enrolled student would have to travel 40 miles to attend school in a receiving district.
- The State Board must remove the superintendent and any assistant superintendent and may not close a school within the district.

- If either classification or a 40-mile travel condition ceases to exist, the State Board may proceed with consolidation.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 546

### AN ACT TO ESTABLISH THE ARKANSAS ADULT DIPLOMA PROGRAM ACT; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1529
BILL SPONSOR(S)	Representative Ray; Senator B. Davis
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-44-301 et seq.
RULE PROMULGATION	Yes, with the Office of Skills Development

#### **SUMMARY**

This bill establishes the Arkansas Adult Diploma Program Act. The law requires the Department of Education to develop a program for individuals who are 21 years or older to earn a high school diploma and develop employability and career and technical skills.

#### **HIGHLIGHTS**

- ADE shall develop and administer the program to provide for a modality that is campus-based, online, or blended.
- Annually, by August 15, ADE shall issue a request for qualifications for public, nonprofit, or other entities to apply to become approved program providers and participate in the Arkansas Adult Diploma Program.
- Approved program providers will be announced no later than October 15 annually.
- Program providers may begin enrolling students starting no later than November 15 each year.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 547

AN ACT TO AMEND THE PROFESSIONAL DEVELOPMENT SCHEDULE REQUIRED FOR LICENSED SCHOOL PERSONNEL; TO AMEND THE DEFINITION OF A “BASIC CONTRACT” UNDER THE TEACHER COMPENSATION PROGRAM OF 2003 TO LIMIT THE NUMBER OF ADDITIONAL DAYS OF PROFESSIONAL DEVELOPMENT A PUBLIC SCHOOL DISTRICT SHALL REQUIRE; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB 1531
BILL SPONSOR(S)	Representative G. Hodges
CO-SPONSOR(S)	Senator J. Dotson
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-13-1603
RULE PROMULGATION	Amendment will be needed

### SUMMARY

This law authorizes qualified electors of a school district, by petition, to place on the ballot the issue of whether to elect the district's board of directors from single-member zones, at large, or through a combination of single-member zones and at large.

### HIGHLIGHTS

- A petition must be signed by at least 10% of qualified voters in the school district.
- It may require the establishment of election boundaries, with each election zone having a substantially equal population based on the most recent available census information.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 548

AN ACT TO AMEND THE PROFESSIONAL DEVELOPMENT SCHEDULE REQUIRED FOR LICENSED SCHOOL PERSONNEL; TO AMEND THE DEFINITION OF A “BASIC CONTRACT” UNDER THE TEACHER COMPENSATION PROGRAM OF 2003 TO LIMIT THE NUMBER OF ADDITIONAL DAYS OF PROFESSIONAL DEVELOPMENT A PUBLIC SCHOOL DISTRICT SHALL REQUIRE; AND FOR OTHER PURPOSES

HOUSE/SENATE BILL	HB 1538
BILL SPONSOR(S)	Representative Vaught
CO-SPONSOR(S)	Representative Duke
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-17-709; 6-17-2402
RULE PROMULGATION	Will require amendment to rules

### SUMMARY

Every fifth year, school districts must make available to appropriate licensed personnel the professional development for mandated reporters.

Per Ark. Code Ann. § 6-17-709(e)(3)(A), upon the issuance of an initial teaching license, an applicant shall obtain training in existing focus areas within the first two years of initial employment as a licensed teacher. Applicants who have obtained training required under Ark. Code Ann. § 6-17-709(e)(3)(A) in a separate educator preparation program or another state and provide the division with verification shall not be subject to the additional training requirements of that subsection.

Ark. Code Ann. § 6-17-709(a)(2)(A) now includes the language “beginning with the 2023-2024” school year and clarifies that family and community engagement professional development under Ark. Code Ann. § 6-17-1703 shall be taken by licensed personnel at least one time. The requirement is met if the licensed personnel have already completed the professional development before the 2023-2024 school year. The same requirements exist for Arkansas history professional development except as required for the subject matter the educator teaches.

Upon issuance of an initial license, an applicant shall obtain specified training within the first two years of initial employment as a licensed teacher. Specified training includes mandated reporting, family and community engagement, teen suicide awareness and prevention, Arkansas history, and training regarding human trafficking. An exception is if an applicant has taken the specified training in a separate educator preparation program or in another state. The applicant must provide verification of the training.

Ark. Code Ann. § 6-17-2402(1)(A) now states that a public school district shall not require more than four days of professional development in addition to the six days of professional development included in a basic contract under Ark. Code Ann. § 6-17-2402(1)(A)(i).

## **HIGHLIGHTS**

- School districts must, every fifth year, make available to appropriate licensed personnel the professional development for mandated reporters.
- Upon the issuance of an initial teaching license, an applicant shall obtain training in existing focus areas within the first two years of initial employment as a licensed teacher. An exception is if an applicant has obtained training required under Ark. Code Ann. § 6-17-709(e)(3)(A) in a separate educator preparation program or another state. Verification is required.
- Unless completed before the 2023-2024 school year, family and community engagement professional development under Ark. Code Ann. § 6-17-1703 must be taken by licensed personnel at least once. The same requirement exists for Arkansas history professional development except as required for the subject matter the educator teaches.
- Upon issuance of an initial license, an applicant shall obtain specified training within the first two years of initial employment as a licensed teacher. An exception is if an applicant has taken the specified training in a separate educator preparation program or in another state. Verification is required.
- A public school district shall not require more than four days of professional development in addition to the six days of professional development included in a basic contract under Ark. Code Ann. § 6-17-2402(1)(A)(i).





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 621

AN ACT TO AMEND THE LAW CONCERNING ABSENCES FROM SCHOOL;  
TO PROVIDE FOR AN EXCUSED ABSENCE FOR A  
STUDENT WHO ACCOMPANIES THE STUDENT'S PARENT OR LEGAL  
GUARDIAN TO VOTE; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB285
BILL SPONSOR(S)	Senator C. Tucker
CO-SPONSOR(S)	Representative Hudson
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-234
RULE PROMULGATION	No

### SUMMARY

A student will not be considered absent from school when accompanying a parent, legal guardian, or person standing in loco parentis to vote in a scheduled election.

### HIGHLIGHTS

- A student shall not be considered absent when accompanying a parent, legal guardian, or person standing in loco parentis to vote in a scheduled election.
- A student is allowed only one excused absence per scheduled election.
- A student is encouraged to wear a sticker, badge, or other item when returning to school that indicates the student's attendance at the election.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 630

### AN ACT CONCERNING THE PARTICIPATION OF HOMESCHOOLED STUDENTS IN INTERSCHOLASTIC ACTIVITIES; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB361
BILL SPONSOR(S)	Senator M. McKee; Representative C. Cooper
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-15-509; 6-15-510(d) &(e)
RULE PROMULGATION	Yes – Amendment

#### SUMMARY

This bill allows a homeschooled student to enroll in a district other than the resident district for an interscholastic activity without a mutual agreement between districts if the resident district does not offer the activity and the superintendent of the nonresident district agrees to allow the homeschooled student to enroll in the activity.

#### HIGHLIGHTS

- The homeschooled student is to be enrolled in a nonacademic class period that coincides with the interscholastic activity in which the homeschooled student participates in order for the resident district to receive one-sixth of the state foundation funding for the duration of the homeschooled student's enrollment.
- A homeschooled student shall immediately be eligible to participate in any interscholastic activity at a public school, unless the student previously withdrew from an interscholastic activity that is a varsity sport at the resident district during the previous 365 days.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 633

AN ACT CONCERNING A PUBLIC SCHOOL DISTRICT UNDER THE AUTHORITY OF THE STATE BOARD OF EDUCATION; TO REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH WITHIN TWO YEARS OF ITS ASSUMPTION OF AUTHORITY OVER A PUBLIC SCHOOL DISTRICT CLASSIFIED AS IN NEED OF LEVEL 5 — INTENSIVE SUPPORT THE CONDITIONS UNDER WHICH THE PUBLIC SCHOOL DISTRICT SHALL BE RETURNED TO LOCAL CONTROL; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB364
BILL SPONSOR(S)	Senators C. Tucker, L. Chesterfield, F. Love
CO-SPONSOR(S)	Representatives V. Flowers, T. Shephard, Ennett, McCullough, F. Allen, A. Collins, Hudson, Springer
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-15-2917
RULE PROMULGATION	Yes - Amendment

### SUMMARY

This bill requires that if a school district that the State Board has placed in Level 5 intensive support is not returned to local control within two years, the SBE shall establish the criteria publicly and in writing by which the district may exit Level 5. If a district cannot meet the criteria to be returned to local control within 5 years of the SBE assuming authority, then the SBE shall either return the district to local control or annex, consolidate, or reconstitute the district under 6-13-1401 et seq.

### HIGHLIGHTS

- If the SBE elects to annex, consolidate, or reconstitute a portion of the district, then any portion of the district remaining after SBE action shall return to local control.
- If the SBE returns a district to full local control, it shall do so no later than five years after its assumption of authority.
- If the SBE elects to annex, consolidate, or reconstitute a district, it shall do so no later than five years after its assumption of authority.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 635

AN ACT TO AMEND THE COMPUTER SCIENCE EDUCATION  
ADVANCEMENT ACT OF 2021; TO ALLOW A PUBLIC SCHOOL DISTRICT TO  
EMPLOY A COMPUTER SCIENCE TEACHER AT EACH HIGH SCHOOL; AND  
FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB378
BILL SPONSOR(S)	Senator B. Davis; Representative Barker
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-16-152(e)
RULE PROMULGATION	Yes - Amendment

### SUMMARY

This bill would amend Ark. Code Ann. § 6-16-152(e) from “shall” to “may,” which would no longer require that each high school in a public school district employ a computer science teacher.

### HIGHLIGHTS

- Public school districts and open-enrollment public charter schools will no longer be required to employ a computer science teacher at each high school in the district.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 637

### AN ACT TO REQUIRE PUBLIC SCHOOLS TO PROVIDE INSTRUCTION ON ADOPTION AWARENESS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB384
BILL SPONSOR(S)	Senator B. Davis & Representative Barker
CO-SPONSOR(S)	Representative Joey Carr
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-16-156
RULE PROMULGATION	No

#### SUMMARY

Beginning with the 2023-2024 school year, each public school must provide instruction on adoption awareness to students in grades 6 through 12 at the beginning of each school year. The State Board will develop curricula, standards, materials, and units related to adoption awareness instruction. Public schools shall provide any written information provided to the students to the parent, legal guardian, or person standing in loco parentis of a pregnant student enrolled in the public school.

#### HIGHLIGHTS

- Public schools must provide adoption awareness instruction annually to students enrolled in grades 6-12 at the beginning of each school year.
- Adoption awareness instruction may be conducted during a regular class period or at a special event organized for the purpose of providing adoption awareness instruction.
- Public schools must provide any written materials provided to students to the parent, etc. of a pregnant student enrolled in the public school.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 638

AN ACT TO AMEND THE ARKANSAS MILITARY CHILD SCHOOL TRANSITIONS ACT OF 2021; TO AMEND FEDERAL CITATIONS WITH REGARD TO THE DEFINITION OF “ACTIVE DUTY”; TO REQUIRE A PUBLIC SCHOOL MILITARY FAMILY EDUCATION COORDINATOR BE INCLUDED IN ESTABLISHING A PUBLIC SCHOOL DISTRICT PARENT AND FAMILY ENGAGEMENT PLAN; TO AMEND THE QUORUM REQUIREMENTS FOR THE ARKANSAS COUNCIL FOR MILITARY CHILDREN; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB387
BILL SPONSOR(S)	Senator J. English
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-4-302; 6-28-116; 6-28-203; 6-28-204(e)
RULE PROMULGATION	Yes - Amendment

### SUMMARY

This bill amends Ark. Code Ann. § 6-28-116 to state that if a public school district has a military family education coordinator, that person should be included in the establishment and adoption of the district’s parent and family engagement plan.

### HIGHLIGHTS

- This bill also amends the membership of the Arkansas Council for Military Children to allow the executive director of the AAA to name a designee.
- All designees’ names are to be provided to the council in writing.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 640

AN ACT TO CREATE THE IMAGINATION LIBRARY OF ARKANSAS PROGRAM; TO CREATE THE IMAGINATION LIBRARY OF ARKANSAS PROGRAM FUND; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB 416
BILL SPONSOR(S)	Senator C. Tucker
CO-SPONSOR(S)	Senators: B. Davis, L. Chesterfield, Irvin, J. Dotson Representatives: Evans, C. Fite, Brooks, V. Flowers, Vaught, D. Garner
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 13-2-106; 19-5-1277
RULE PROMULGATION	No

### SUMMARY

This bill creates the Imagination Library of Arkansas Program.

### HIGHLIGHTS

- ADE will partner with a nonprofit organization whose sole purpose is to promote and encourage reading in early childhood for the children of Arkansas.
- One age-appropriate book shall be sent monthly to the home of each registered child from birth to age five in each participating county at no cost to the family of the registered child.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 642

AN ACT TO CREATE THE COACH SAFELY ACT; TO REQUIRE YOUTH INJURY MITIGATION AND INFORMATION COURSES FOR ATHLETICS PERSONNEL AND COACHES; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB421
BILL SPONSOR(S)	Senator G. Leding & Representative K. Moore
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-18-720
RULE PROMULGATION	No

### SUMMARY

This bill creates the Coach Safety Act. It requires all coaches and athletic personnel of youth athletes, who are 14 years old or younger, to complete an online or residence course approved by the Department of Health, which provides information and awareness of actions and measures that may be used to decrease the likelihood that a youth athlete will sustain a serious injury while engaged or participating in a high-risk youth athletic activity.

### HIGHLIGHTS

- A licensed teacher with a coaching endorsement on the teaching license, a licensed teacher who completes the AAA and National Federation of State High School Associations coaching endorsement programs, and a registered volunteer under the Arkansas registered volunteers program who completes the AAA and National Federation of State High School Associations coaching endorsement programs are exempt from this requirement.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 643

AN ACT TO ESTABLISH THE CONDITIONS UNDER WHICH A  
PUBLIC SCHOOL THAT OPERATES PRIMARILY AS A VIRTUAL SCHOOL  
MAY OFFER A STATEWIDE STUDENT ASSESSMENT IN A VIRTUAL SETTING;  
AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB432
BILL SPONSOR(S)	Senator J. Dotson
CO-SPONSOR(S)	Representative Brooks
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 8-18-114
RULE PROMULGATION	No

### SUMMARY

This bill would permit public school districts and open-enrollment public charters that operate a primarily virtual school to give the statewide student assessment in a virtual format.

### HIGHLIGHTS

- The virtual format, if provided, would have to meet the following requirements:
  - The student must take the test on the date and at the time assigned.
  - The student must attend a synchronous assessment session initiated and managed by the public school.
  - If the testing platform does not allow for integrated camera proctoring, then the student must use two devices – one for taking the test and one from which the student will be monitored for the duration of the test.
  - The device the student uses must have audio capabilities assessable by the proctor for purposes of monitoring.
  - There must be an approved adult, such as a parent, guardian, or person standing in loco parentis, who is physically present with the student for the test duration.

- The public school shall maintain a test taker to proctor a ratio of 10-to-1 or lower.
- The student shall not exit the room unless instructed to do so by the proctor.
- The assessment administrator shall verify that the test was administered to a student enrolled in a public school that operates primarily as a virtual school.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 649

AN ACT TO AMEND THE PUBLIC SCHOOL CHOICE ACT OF 2015; TO PROVIDE SCHOOL CHOICE FOR CHILDREN OF UNIFORMED SERVICES FAMILIES; TO AMEND ACTS 2023, NO. 237, TO AMEND ELIGIBILITY OF CHILDREN OF ACTIVE DUTY UNIFORMED SERVICES PERSONNEL TO PARTICIPATE IN THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM

HOUSE/SENATE BILL	SB458
BILL SPONSOR(S)	Senator J. English
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-1902, 6-18-1905, 6-18-1909, and 6-18-2506.
RULE PROMULGATION	Amendments will be needed

### SUMMARY

Children of certain “uniform service” members (defined as an active or reserve component member of the United States Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, National Oceanic Atmospheric Administration Commissioned Officer Corps, and Commissioned Corps of the Public Health Service) are eligible for enrollment in the public school district of their choice. This choice option applies to uniformed service members in full-time active-duty status, surviving spouses of uniformed service members, certain members of the reserves, and uniformed service veterans who are returning to civilian status at the conclusion of the member’s active-duty status. No application deadline applies to these students. This law also broadened the definition of “military reserves” in the Arkansas Children’s Educational Freedom Account Program concerning students eligible to participate in the 2024-25 school year.

### HIGHLIGHTS

- This law provides a right to enrollment in the public school district of choice to certain “uniform service” members, their surviving spouses, and veterans at the conclusion of their active-duty status.
- “Uniform service” members has a broad definition.

- There is no deadline to apply.
- These families are included among those who may participate in the Arkansas Children's Educational Freedom Account Program in the 2024-25 school year.

#### **IMPLEMENTATION TIMELINE**

- The law expands the availability of participation in the Arkansas Children's Educational Freedom Account Program in the 2024-25 school year to certain uniform service family members.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 653

AN ACT TO AMEND THE ARKANSAS STUDENT PROTECTION ACT; TO INCLUDE OFFERING OR PROVIDING ABORTION REFERRALS AS A PROHIBITED TRANSACTION BY A PUBLIC SCHOOL OR OPEN-ENROLLMENT CHARTER SCHOOL; AND FOR OTHER PURPOSES

HOUSE/SENATE BILL	SB466
BILL SPONSOR(S)	Senator J. Dotson
CO-SPONSOR(S)	Representative Barker
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-2203
RULE PROMULGATION	Amendment needed

### SUMMARY

A school district may not knowingly enter into any type of transaction with an individual or entity that performs abortions, induces abortions, provides abortions, or offers or provides abortion referrals.

### HIGHLIGHTS

- A school district may not knowingly enter into any type of transaction with an individual or entity that performs abortions, induces abortions, provides abortions, or offers or provides abortion referrals.
- School districts that knowingly violate this law shall, at the direction of the Division of Elementary and Secondary Education, appear before the State Board for the purpose of determining why the violation occurred and how it will be prevented in the future.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 654

AN ACT CONCERNING CAREER AND TECHNICAL EDUCATION; TO AMEND THE LAW CONCERNING WEIGHTED CREDIT AWARDED FOR CAREER AND TECHNICAL EDUCATION COURSES; TO AMEND THE LAW CONCERNING STATEWIDE STUDENT ASSESSMENT SYSTEMS USED TO MEASURE COLLEGE AND CAREER READINESS; TO AMEND THE COMPUTER SCIENCE EDUCATION ADVANCEMENT ACT OF 2021 TO INCLUDE COMPUTER SCIENCE-RELATED CAREER AND TECHNICAL EDUCATION COURSES AS ELIGIBLE FOR CREDIT; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB470
BILL SPONSOR(S)	Senators J. Dotson, J. English, J. Bryant
CO-SPONSOR(S)	Representative Beck
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-2203
RULE PROMULGATION	Ark. Code Ann. 6-15-902, 6-15-2907, and 6-15-152

### SUMMARY

This law requires the Division of Career and Technical Education to review new and existing career and technical pathways to determine which courses within the pathways meet criteria for weighted credit. Weighted credit shall be awarded upon completing the relevant C&T pathway and earning the high-value industry credential aligned with the pathway. The law identifies the ACT WorkKeys National Career Readiness Certification (NCRC) as a career readiness assessment school districts may offer. It provides that an NCRC Platinum, Gold, Silver, or Bronze credential shall be used by a higher education institution as a transcribable credit toward attainment of a postsecondary technical degree. A computer science-related CTE course (that meets the minimum criteria established by rules) may fulfill the computer science credit necessary for graduation.

### HIGHLIGHTS

- The Division of Career and Technical Education will identify courses within CTE pathways that meet criteria for weighted credit.

- Weighted credit is awarded upon completion of a C&T pathway and earning a high-value industry credential aligned with the pathway.
- The ACT WorkKeys National Career Readiness Certification (NCRC) is identified to fulfill the career-ready assessment requirement.
- An approved computer science-related CTE course fulfills the computer science credit necessary for graduation.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 656

AN ACT CONCERNING FEDERALLY FUNDED CHILD NUTRITION PROGRAMS; TO CREATE A MEANS BY WHICH STUDENTS WHO QUALIFY FOR REDUCED-PRICE MEALS AT SCHOOL RECEIVE FREE MEALS AT SCHOOL; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB477
BILL SPONSOR(S)	Senators J. Dotson, J. English, J. Bryant
CO-SPONSOR(S)	Representative Beck
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-2203
RULE PROMULGATION	Ark. Code Ann. 6-15-902, 6-15-2907, and 6-15-152

### SUMMARY

School districts shall not charge a co-payment to a student who qualifies for a reduced-cost meal. If necessary to comply with this requirement, the Arkansas Department of Education shall provide funds to the school district.

### HIGHLIGHTS

- Schools districts may not charge a co-payment to students who qualify for a reduced-cost meal.
- Annually, the Arkansas Department of Education must provide an overview of each child nutrition program offered in public schools to the Joint Education Committee.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 662

AN ACT TO ESTABLISH A MEANS BY WHICH A PUBLIC SCHOOL MAY AWARD A STUDENT A HIGH SCHOOL DIPLOMA BEFORE THE STUDENT GRADUATES UNDER CERTAIN CIRCUMSTANCES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB505
BILL SPONSOR(S)	Senator K. Hammer
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	April 11, 2023
STATUTE(S)	Ark. Code Ann. § 6-16-161
RULE PROMULGATION	No

### SUMMARY

This bill creates a new section that defines circumstances in which a public school district may award an early diploma. If a student is in the final semester and is terminally ill, then the school district may, with approval from its board, award the student an early diploma.

### HIGHLIGHTS

- Terminally ill is defined as having an incurable condition and likely will die before graduation.
- Terminally ill also includes admittance to hospice.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 669

AN ACT TO AMEND ACTS 2023, NO. 237; TO AMEND THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM; TO AMEND THE LIMITATION ON THE FUNDS A PARTICIPATING STUDENT MAY RECEIVE UNDER THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB505
BILL SPONSOR(S)	Senator J. Dismang
CO-SPONSOR(S)	Senator B. Davis, Gilmore & Representatives Barker, Brooks
EFFECTIVE DATE(S)	April 11, 2023
STATUTE(S)	Ark. Code Ann. § 6-18-2506(e)
RULE PROMULGATION	Yes

### SUMMARY

This bill amends § 6-18-2506(e) so that students with disabilities who have an annual family income that is less than or equal to 200% of the federal poverty guidelines may receive funds from both the Educational Freedom Account Program and the Philanthropic Investment in Arkansas Kids Program to the extent necessary to cover qualifying expenses.

### Highlights

- Students with disabilities who have an annual family income that is less than or equal to 200% of the federal poverty guidelines may receive funds from both the EFA program and the Philanthropic Investment in Arkansas Kids Program to the extent necessary to cover qualifying expenses.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 720

### AN ACT TO AMEND THE LAW CONCERNING PROGRAMS AND ACTIVITIES APPROVED FOR ACADEMIC CREDIT FOR COMMUNITY SERVICE; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	House Bill 1489
BILL SPONSOR(S)	Representatives D. Garner, Anchor, Breaux, M. Brown, Joey Carr, Crawford, Gramlich, Hudson, McAlindon, McCullough, J. Moore, D. Whitaker, Wing, Wooten
CO-SPONSOR(S)	Senators J. Dotson, J. Bryand, G. Leding
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-18-2506(e)
RULE PROMULGATION	Yes

## SUMMARY

Ending with the graduating class of 2025-2026, a student in grades 9-12 is eligible to receive one academic credit that may be applied toward graduation for community service in activities and programs approved by the school district's board of directors. Activities and programs shall include preparation, action, and reflection components and must be federally- or state-approved, have tax-exempt status under 26 U.S.C. 501(c)(3), and be vetted and approved by the student's parent, legal guardian, or person standing in loco parentis.

## HIGHLIGHTS

- Students in grades 9-12 are eligible to receive one academic credit that may be applied toward graduation, ending with the graduating class of 2025-26.
- Eligible activities/programs must be approved by the school district's board of directors, vetted by a student's parent/legal guardian/person standing in loco parentis, and must include preparation, action, and reflection components.

## IMPLEMENTATION TIMELINE

- Opportunity to earn community service credit ends with the graduating class of 2025-26.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 721

AN ACT TO AMEND THE LAW REGARDING DEADLINES FOR SCHOOL DISTRICTS TO SUBMIT THE RATE OF TAX FOR A SCHOOL ELECTION; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1495
BILL SPONSOR(S)	Representatives Gramlich and Bentley
CO-SPONSOR(S)	Senator J. Boyd
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-14-111
RULE PROMULGATION	No

### SUMMARY

A school district must file its proposed rate of tax with the county clerk no later than 72 days before the annual school election except in years in which the president of the United States appears on the ballot at the general election. If that occurs, the district must file the language 98 days before the annual school election.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 723

AN ACT CONCERNING HEALTH AND SAFETY CURRICULA OFFERED BY PUBLIC SCHOOL DISTRICTS AND OPEN-ENROLLMENT PUBLIC CHARTER SCHOOLS; TO REQUIRE A HEALTH AND SAFETY COURSE OFFERED BY A PUBLIC SCHOOL DISTRICT OR OPEN ENROLLMENT PUBLIC CHARTER SCHOOL TO INCLUDE INFORMATION REGARDING BREASTFEEDING; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1526
BILL SPONSOR(S)	Representatives Bentley, Beck, K. Brown, Ennett, C. Fite, Gramlich, Haak, D. Hodges, McAlindon, Pilkington, Rose, Scott, Vaught
CO-SPONSOR(S)	Senator B. Davis
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-16-1007
RULE PROMULGATION	No

### SUMMARY

Health and safety courses offered by public school districts and open-enrollment charters shall include information about breastfeeding, including the benefits of breastfeeding for infants and lactating mothers.

### HIGHLIGHTS

- Health and safety courses offered at public schools shall include information about breastfeeding.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 724

AN ACT CONCERNING EDUCATIONAL COURSES AND SERVICES PROVIDED BY PUBLIC SCHOOL DISTRICTS AND OPEN ENROLLMENT PUBLIC CHARTER SCHOOLS TO AN EXPELLED STUDENT; TO REPEAL THE REQUIREMENT THAT PUBLIC SCHOOL DISTRICTS AND OPEN-ENROLLMENT PUBLIC CHARTER SCHOOLS OFFER CERTAIN COURSES TO EXPELLED STUDENTS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1539
BILL SPONSOR(S)	Representative Vaught
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-16-1406 and 6-18-507
RULE PROMULGATION	Amendment needed

### SUMMARY

This repeals the law that requires a public school that expels a student to “offer” to the student digital learning or other alternative educational courses for academic credit.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 729

AN ACT CONCERNING A PUBLIC SCHOOL DISTRICT THAT IMPLEMENTS AN ALTERNATE SCHOOL CALENDAR; TO ALLOW A PUBLIC SCHOOL DISTRICT THAT IMPLEMENTS AN ALTERNATE SCHOOL CALENDAR TO USE ALTERNATIVE METHODS OF INSTRUCTION FOR PURPOSES OF MAKING UP A MISSED SCHOOL DAY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1590
BILL SPONSOR(S)	Representative Walker & Senator J. Dotson
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-10-106
RULE PROMULGATION	No

### SUMMARY

This bill amends § 6-10-106(g)(3) to allow districts that use an alternative calendar to now use the alternative methods of instruction in Ark. Code Ann. § 6-10-127 to make up a missed school day.

### HIGHLIGHTS

- A district or open-enrollment public charter school that uses an alternative calendar is now allowed to use the alternative methods of instruction as defined in Ark. Code Ann. 6-10-127 to make up a missed school day.
- This bill does not change the LEARNS Act requirements regarding the following: To be eligible for the funds to implement the minimum base salary of \$50,000, a public school district must be open for at least 178 days of on-site, in-person instruction.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 731

AN ACT TO REQUIRE THAT A PETITION OF A STUDENT TO TRANSFER FROM ONE SCHOOL DISTRICT TO ANOTHER SCHOOL DISTRICT BE PLACED ON THE AGENDA OF A SCHOOL DISTRICT BOARD OF DIRECTORS FOR REVIEW AND APPROVAL; TO CREATE A PROCESS WHEREBY A DENIAL OF A TRANSFER PETITION MAY BE APPEALED; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1604
BILL SPONSOR(S)	Representative Barker & Senators J. Bryant
CO-SPONSOR(S)	Senator A. Clark
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-10-106
RULE PROMULGATION	No

### SUMMARY

This bill requires that a district that accepts a legal transfer, or petition to transfer, put all petitions on the agenda of the next regularly-scheduled school board meeting. The petitions will be considered individually, and parents will receive the right to present their petition to the board. A denial of a petition can be appealed to the State Board of Education.

### HIGHLIGHTS

- Petitions received by a school district must be heard at the next regularly-scheduled board of directors meeting or at any special meeting that is called prior to the regularly-scheduled meeting.
- Superintendents, at least five days before the regular or special meeting, must inform the school district board of directors of all petitions received and the superintendent's recommendation concerning each petition.
- If a superintendent recommends denial of the petition, a written explanation for the denial must be given to the school board of directors and the parent, legal guardian, or person standing in loco parentis to the student.



- Each petition shall be considered individually, and parents shall have time to present the petition to the board.
- Approval of petitions may be delegated to the superintendent or an individual member of the school district board of directors.
- The board of directors shall not delegate its authority to deny a petition.
- Denial of a petition can be appealed to the State Board of Education.
- Approved petitions must be filed with the office of the county clerk, the administrative offices of the resident and nonresident school district, and the division.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 732

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE AS THEY RELATE TO TEACHER LICENSURE; TO AMEND THE CONDITIONS UNDER WHICH AN INDIVIDUAL MAY TEACH WITHOUT A LICENSE; TO AMEND THE QUALIFICATIONS AN INDIVIDUAL MUST HAVE TO OBTAIN A TEACHING LICENSE; TO AMEND THE TYPES OF LICENSES THAT MAY BE CONSIDERED UNDER A TIERED SYSTEM OF LICENSURE; TO AMEND THE LENGTH OF TIME DURING WHICH A PROVISIONAL TEACHING LICENSE IS VALID; TO REPEAL THE LICENSED PERSONNEL TESTING PROGRAM; AND FOR OTHER PURPOSES

HOUSE/SENATE BILL	HB1609
BILL SPONSOR(S)	Representative Evans; Senator B. Davis
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-17-309; 6-15-1004; 6-17-402; 6-17-409; 6-17-428; 6-17-601, et seq.; 6-17-919
RULE PROMULGATION	Will require amendment to rules

### **SUMMARY**

Ark. Code Ann. § 6-17-309 is amended to extend the time period (from 30 days to 60 days) for which students may be under the instruction of teachers who are not licensed to teach the grade level or subject matter of the class.

An Aspiring Teacher Permit is created.

Ark. Code Ann. § 6-15-1004 is amended to allow for alternate measures of measuring competency, including passing scores on assessments approved by the State Board and completion of DESE Alternate Assessment Plans.

Ark. Code Ann. § 6-17-402(c)(1) is amended concerning administrative rules to remove language regarding specific conditions for provisional licenses as part of a tiered system of licensure. The bill also adds language to Ark. Code Ann. § 6-17-402(c)(1) to allow the State Board of Education to promulgate rules for an aspiring teacher permit for a period of time not exceeding one academic year or two semesters. The bill also amends Ark. Code Ann. § 6-17-402(c)(2)(A) to clarify the requirements for eligibility for working under Additional Licensure Plans and also adds language regarding requirements for licensure for standard licenses or endorsements.

Ark. Code Ann. § 6-17-409(e) is amended to clarify that a provisional license may be extended for up to three years after an applicant completes an alternative educator preparation program if the applicant is working to meet the requirements for a standard license.

Ark. Code Ann. § 6-17-402(c)(2)(A)(ii) is amended to create an exception to the requirements of Ark. Code Ann. § 6-17-402(c)(2)(A)(ii)(a) for individuals who are already proficient through an approved prescribed pathway. The amendments further clarify that individuals seeking K-12 special education endorsements are subject to the requirements of Ark. Code Ann. § 6-17-402(c)(2)(A)(ii)(a). The amendments also state that a person adding a special education resource math (7-12) endorsement or a special education resource science (7-12) endorsement to a standard license is not subject to the requirements of Ark. Code Ann. § 6-17-402(c)(2)(A)(ii)(a).

The definition of “educator” for purposes of the Code of Ethics is amended to include “individual with an Aspiring Teacher permit.”

Arkansas Code Title 6, Chapter 17, Subchapter 6, regarding the licensed personnel testing program, is repealed.

The word “substitute” is removed from Ark. Code Ann. § 6-17-919(a)(1)(B) regarding voiding warrants issued in payment of teachers’ salaries.

## **HIGHLIGHTS**

- With some exceptions, for a time period up to 60 days, students may be under the instruction of teachers who are not licensed to teach the grade level or subject matter of the class.
- An Aspiring Teacher Permit is created.
- The law now allows alternate measures of measuring competency, including passing scores on assessments approved by the State Board and completion of DESE Alternate Assessment Plans.
- Language has been removed from the law regarding specific conditions for provisional licenses as part of a tiered system of licensure.
- The State Board of Education may promulgate rules for an aspiring teacher permit for a period of time not exceeding one academic year or two semesters.
- The act clarifies the requirements for eligibility for working under Additional Licensure Plans and also adds language regarding requirements for licensure for standard licenses or endorsements.

- A provisional license may be extended for up to three years after an applicant completes an alternative educator preparation program if the applicant is working to meet the requirements for a standard license.
- There is now an exception to the requirements of Ark. Code Ann. § 6-17-402(c)(2)(A)(ii)(a) for individuals who are already proficient through an approved prescribed pathway.
- Individuals seeking K-12 special education endorsements are subject to the requirements of Ark. Code Ann. § 6-17-402(c)(2)(A)(ii)(a).
- A person adding a special education resource math (7-12) endorsement or a special education resource science (7-12) endorsement to a standard license is not subject to the requirements of Ark. Code Ann. § 6-17-402(c)(2)(A)(ii)(a).
- Individuals with aspiring teacher permits are “educators” for the purpose of the Code of Ethics.
- Laws regarding the licensed personnel testing program are repealed.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 737

### AN ACT TO REQUIRE AUTOMATED EXTERNAL DEFIBRILLATORS AT CERTAIN SCHOOL-SPONSORED SPORTING EVENTS AND ON CAMPUSES OF INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES

HOUSE/SENATE BILL	HB1643
BILL SPONSOR(S)	Representative L. Johnson; Senator B. Davis
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-10-122; 6-60-119 (see “Notes” section below)
RULE PROMULGATION	Yes

## SUMMARY

The State Board of Education shall promulgate rules to include the requirement that school-sponsored sporting events for grades 7-12 must have an automated external defibrillator.

The Arkansas Higher Education Coordinating Board, in collaboration with all public university and college presidents and chancellors or their designees, shall develop and adopt rules regarding automated external defibrillators and cardiopulmonary resuscitation programs. The AHECB also shall consult with the Arkansas Department of Health to develop rules based on guidelines for automated external defibrillator and cardiopulmonary resuscitation training that incorporates elements set out in law.

## HIGHLIGHTS

- DESE rules shall require that school-sponsored sporting events for grades 7-12 must have an automated external defibrillator.

- The Arkansas Division of Higher Education rules shall require the following: 1.) An automated external defibrillator be placed in appropriate locations across each institution or higher education campus as determined by rule; 2.) Appropriate personnel be adequately trained on an ongoing basis; and 3.) Each institution of higher education-sponsored sporting event has an automated external defibrillator at the sporting event.
- Automated external defibrillator and cardiopulmonary resuscitation training counts fully toward existing professional development requirements for college and university personnel.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 744

AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE CONCERNING PUBLIC SCHOOL FUNDING AMOUNTS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1688
BILL SPONSOR(S)	Representative Evans & Senator J. English
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	April 12, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-18-1117(a) & (b); 6-20-2305(a)(2); 6-20-2305(b)(2)(A); 6-20-2305(b)(3); 6-20-2305(b)(4)(A); 6-20-2305(b)(5); & 6-2-2305(b)(6)(A)

### SUMMARY

This bill amends Ark. Code Ann. § 6-18-1117(a) & (b) so that districts are required to pay each month the health insurance contribution rate for each eligible employee. This bill also increases the per-pupil foundation, alternative learning environments, English-language learners, and enhanced student achievement funding, as well as professional development funding and teacher salary equalization funding for the 2023-2024 and 2024-2025 school years.

### HIGHLIGHTS

- For the 2023-2024 school year, per-pupil foundation funding is \$7,618.
- For the 2023-2024 school year, the funding for alternative learning environments is \$4,987.
- For the 2023-2024 school year, the funding for English-language learners is \$366.
- For the 2023-2024 school year, the funding for enhanced student achievement is \$1,613 for districts where 90% or more of the previous year's students are national school lunch students.
- For the 2023-2024 school year, the funding for professional development is \$41.00.
- For the 2023-2024 school year, the statewide target average annual salary shall be \$51,822.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 745

AN ACT TO ALLOW A SCHOOL DISTRICT BOARD OF DIRECTORS TO CONSOLIDATE GRIEVANCES INTO A GROUP GRIEVANCE IF MULTIPLE SCHOOL EMPLOYEES HAVE FILED INDIVIDUAL GRIEVANCES THAT ARE THE SAME GRIEVANCE FOR PURPOSES 12 OF AN APPEAL; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB 1691
BILL SPONSOR(S)	Representative Wing
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-17-208(b)(2)
RULE PROMULGATION	No.

### SUMMARY

This bill would amend A.C.A. § 6-17-208(b)(2) to allow a district to combine individual grievances that are of the same nature into one group grievance.

### HIGHLIGHTS

- If individual grievances are consolidated, then the group shall select one or more individuals from the group to represent the group.
- The representative(s) shall have no less than 90 minutes to present the group grievance.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 748

AN ACT TO CREATE THE RIGHT TO PLAY ACT; CONCERNING  
THE PARTICIPATION OF STUDENTS IN INTERSCHOLASTIC ACTIVITIES;  
AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB 1733
BILL SPONSOR(S)	Representative Wing & Senator Irvin
CO-SPONSOR(S)	Representative McCollum & Senators M. McKee and A. Clark
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-18-114
RULE PROMULGATION	No.

### SUMMARY

This bill creates the Right to Play Act.

### HIGHLIGHTS

- Students who are determined to be homeless by the local homeless liaison shall be immediately eligible to participate in interscholastic activities at the school in which he or she is enrolled.
- A student who is a member of a school athletic activity and has engaged in a competition for an interscholastic activity may participate with a non-school team during the season without losing eligibility to play for the school team.
- Students cannot participate with a non-school team on the same day as participating with the school team for the same sport.
- This dual participation is not allowed for football, basketball, baseball, softball, and volleyball.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 750

AN ACT CONCERNING A VACANCY ON A PUBLIC SCHOOL DISTRICT BOARD OF DIRECTORS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1739
BILL SPONSOR(S)	Representative Warren
CO-SPONSOR(S)	Senator Crowell
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-13-611
RULE PROMULGATION	No.

### SUMMARY

If a vacancy on a district board of directors occurs and a member is appointed, that person may hold the position only until the next school election. If no one runs for an unexpired term, the position must be filled in accordance with Ark. Code Ann. 6-13-611.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 754

### AN ACT TO CREATE THE STUDENT DATA VENDOR SECURITY ACT; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1739
BILL SPONSOR(S)	Representative G. Hodges
CO-SPONSOR(S)	Senator J. Bryant
EFFECTIVE DATE(S)	On or after June 1, 2024
STATUTE(S)	Ark. Code Ann. 6-18-2501 et seq.
RULE PROMULGATION	No

#### SUMMARY

Each school district must ensure that all contracts that disclose or make available student personally identifiable information (“PII”) to vendors, including school service contract providers, school service on-demand providers, and other third parties including subcontractors of contract providers, include express language that safeguard the privacy and security of PII. Districts must make information concerning data use available to parents. Parents also must consent to the use of PII by a provider if the provider plans to use the material in a manner inconsistent with the contract between the provider and the district. To ensure transparency, providers must furnish easily understood information identifying the data it collects, why it collects the data, and how it uses the data. Providers must keep an updated privacy policy, notify districts of any material change, and must notify the district of any discovered misuse of the PII. Providers are prohibited from using PII for any purpose other than that contained in the contract, selling PII, using or sharing PII for targeted advertising, and using PII to create profiles of students. Providers also must keep PII secure and destroy it on request of the school district (absent a parent’s consent for the provider to retain the PII). There are several exceptions to the law that allow a provider to use PII within express parameters.

#### HIGHLIGHTS

- Districts must review contracts to ensure they include express provisions that safeguard the privacy and security of student PII.
- Districts must maintain (and make available to parents upon request) updated documentation concerning contracts with providers that include or make available student PII.

- Districts must take steps to ensure providers “maintain a comprehensive information security program that is reasonably designed to protect the security, privacy, confidentiality, and integrity of student PII.”
- Districts must investigate any contract breach and determine whether to terminate the contract based upon results.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 756

AN ACT TO AMEND THE LAW CONCERNING THE UNIFORM ATTENDANCE AND LEAVE POLICY ACT; TO AMEND THE LAW CONCERNING SICK LEAVE; TO CREATE FOSTER CARE LEAVE; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB 1775
BILL SPONSOR(S)	Representative Vaught & Senator C. Tucker
CO-SPONSOR(S)	Senator J. Bryant
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 21-4-206(b); 21-4-418
RULE PROMULGATION	No

### SUMMARY

This bill amends the current sick leave definition of a child to include a child in foster care who is placed in the home. The bill also creates foster care leave, so that an employee who has a child placed with him or her may take up to 40 hours with pay in order to take care of that child's needs.

### HIGHLIGHTS

The employee is entitled to 40 hours, regardless of how many children are placed in the home.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 764

AN ACT TO PROVIDE FOR CERTAIN REQUIREMENTS RELATED TO STORM SHELTERS FOR EDUCATIONAL FACILITIES UNDER THE ARKANSAS FIRE PREVENTION CODE; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB 355
BILL SPONSOR(S)	Senators Caldwell, J. Petty, J. Bryant
CO-SPONSOR(S)	Representatives Holcomb, J. Moore, Puryear, J. Mayberry
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 12-13-120
RULE PROMULGATION	Rules amendment will be needed

### **SUMMARY**

Beginning in January 2025, the Arkansas Fire Prevention Code shall identify educational facilities (“Group E occupancies”) that are required to have a storm shelter and require the occupant capacity of the shelter to be determined by the total occupant load of the classrooms, vocational rooms, and offices in the Group E occupancy. If construction on such a facility begins prior to January 2025, the shelter must comply with these requirements. Per the fire marshal, this act does not include the occupancy requirement for the largest indoor assembly area.

### **Implementation Timeline**

- Beginning in January 2025, the Arkansas Fire Prevention Code shall identify educational facilities (“Group E occupancies”) that are required to have a storm shelter and require the occupant capacity of the shelter to be determined by the total occupant load of the classrooms, vocational rooms, and offices in the Group E occupancy.
- If construction on such a facility begins prior to January 2025, the shelter must comply with these requirements.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 768

AN ACT TO AMEND THE PUBLIC SCHOOL CHOICE ACT OF 2015;  
TO AMEND THE ARKANSAS OPPORTUNITY PUBLIC SCHOOL  
CHOICE ACT; TO ENSURE A STUDENT WHO TRANSFERS TO A  
NONRESIDENT DISTRICT IS AFFORDED CERTAIN OPPORTUNITIES  
AND RIGHTS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB400
BILL SPONSOR(S)	Senator A. Clark
CO-SPONSOR(S)	Senators L. Chesterfield, Dees, J. English, Flippo, B. Johnson, G. Leding, M. McKee, Stone, C. Tucker, & D. Wallace
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-18-1904; 6-18-227
RULE PROMULGATION	Yes – Amendment of Existing Rules

### SUMMARY

This bill amends both the Public School Choice Act of 2015 (§ 6-18-1904) and the Opportunity School Choice Act (§ 6-16-227) to prohibit the denial of participation in an extracurricular activity at the nonresident district or school based solely on the student's decision to transfer.

### HIGHLIGHT

- A student who transfers to another school or a nonresident district will have to complete a changing schools/athletic participation form as defined by AAA.
- The form will have to be filed with the school/district the student transfers to and the AAA.
- Prior to participation, the form must be signed by the superintendent of the resident school/district, the nonresident school/district, and the parent/guardian/loco parentis for the student.

- The superintendents shall sign the form unless there is demonstrable evidence of recruiting by the nonresident school district, or the student is transferring solely for athletics.
- The form shall only be used to determine eligibility of students who are enrolled in the nonresident district by July 1 before the student enters grades 7-12.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 776

AN ACT TO PROHIBIT PUBLIC EMPLOYERS FROM DEDUCTING DUES, FEES, OR CONTRIBUTIONS FROM PAYMENTS TO PUBLIC SCHOOL EMPLOYEES AND RETIREES ON BEHALF OF A PROFESSIONAL OR LABOR ORGANIZATION OR POLITICAL FUND; TO REQUIRE APPLICATIONS FOR LABOR ORGANIZATION MEMBERSHIP TO CONTAIN A NOTICE OF PUBLIC SCHOOL EMPLOYEES' RIGHTS TO JOIN OR REFRAIN FROM JOINING A LABOR ORGANIZATION; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB473
BILL SPONSOR(S)	Senator J. Bryand
CO-SPONSOR(S)	Representative G. Hodges
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-17-202, 6-17-805, 6-17-908, 19-4-1602, 24-7-206
RULE PROMULGATION	No

### SUMMARY

A school district, higher education institution, and the Arkansas Teacher Retirement System may not withhold and collect dues, fees, or contributions from an employees' pay or annuity for a professional organization, labor organization, or political fund regardless of the request from the employee/retiree.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 780

AN ACT TO AMEND THE CRITERIA CONSIDERED IN A SCHOOL DISTRICT'S REDUCTION-IN-FORCE POLICY; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB510
BILL SPONSOR(S)	Senator Irvin
CO-SPONSOR(S)	Representative G. Hodges, Painter & Senator J. English
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-17-2407
RULE PROMULGATION	No

### SUMMARY

This bill amends what school districts must include in their policy regarding reduction in force based on criteria for a layoff and recall of employees.

### HIGHLIGHTS

- The bill also amends how much weight districts can give to things like seniority, length of service, professional development hours, and education level in regard to reduction in force.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 781

AN ACT CONCERNING SCHOOL DISTRICT PERSONNEL POLICIES; TO REQUIRE PERSONNEL POLICIES TO INCLUDE RULES AND PROCEDURES CONCERNING A COMMITTEE ON PERSONNEL POLICIES; TO AMEND THE MEANS BY WHICH A CLASSROOM TEACHER IS ELECTED TO SERVE ON SCHOOL DISTRICT

HOUSE/SENATE BILL	SB512
BILL SPONSOR(S)	Senator Irvin
CO-SPONSOR(S)	Representative G. Hodges & Senator J. English
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-13-620(5)(A); 6-17-201(c); 6-17-203; 6-17-204; 6-17-205(a)(3); 6-17-206
RULE PROMULGATION	No

### SUMMARY

This bill amends language to require that employment contracts incorporate all personnel policies. It changes the election process for the committee on personnel policies and requires that election results for the committee on personnel policies be posted on the district's website.

### HIGHLIGHTS

- All meetings of the committee on personnel policies are to be audio recorded and made available to the public to ensure transparency.
- Policies adopted by the school board between May 1 and June 30 each year that are not required to ensure compliance with state law or rule or federal law or regulation shall be considered part of licensed personnel contracts on July 1 if there was notice no later than five working days after the final board action and the notice included the policy (with changes clearly shown).
- Districts must adopt a supplement to the salary schedule for those licensed staff employed longer than covered by the salary schedule and for duties in addition to licensed employees' regular teaching assignments.

- A licensed employee may not waiver payment according to the salary schedule, and a district is not prohibited from paying additional salary increases to a licensed employee.
- Minutes from the committee on personnel policies must be promptly placed on the school district's website.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 782

AN ACT CONCERNING THE PERSONNEL POLICIES FOR CLASSIFIED SCHOOL EMPLOYEES; TO AMEND VARIOUS PROVISIONS OF THE LAW THAT RELATE TO TOPICS COVERED BY, THE COMPOSITION OF, AND THE MEETING REQUIREMENTS FOR A SCHOOL DISTRICT'S COMMITTEE ON PERSONNEL POLICIES FOR CLASSIFIED EMPLOYEES; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB514
BILL SPONSOR(S)	Senator Irvin
CO-SPONSOR(S)	Representative G. Hodges & Senator J. English
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-17-2301; 6-17-2303; 6-17-2403(b)(2); 6-17-2305(a)&(b)
RULE PROMULGATION	No

### SUMMARY

This bill amends multiple laws regarding the committee on personnel policies for classified employees.

### HIGHLIGHTS

- This bill adds rules, bylaws, and procedures to what shall be reviewed by the committee.
- Membership on the committee on personnel policies for classified employees is expanded to include five non-management representatives.
- This bill amends the election process and makes all meetings and minutes open to the public.
- Minutes from committee meetings must be promptly placed on the district's website.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 787

AN ACT TO AMEND THE FIRE PREVENTION ACT; TO AMEND THE LAWS RELATING TO FIRE DRILLS AND EXTERIOR DOORS AT EDUCATIONAL INSTITUTIONS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB554
BILL SPONSOR(S)	Senator J. English
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. §§ 6-21-120; 12-13-109
RULE PROMULGATION	No

### SUMMARY

This bill creates Ark. Code Ann. § 6-21-120, which requires that all exterior doors in public and private schools and all education institutions shall remain locked during school hours with the exception of transition times. It also amends § 12-13-109, which will allow schools, both public and private, to keep interior doors locked as long as egress is not impeded.

### HIGHLIGHTS

- All exterior doors in public and private schools and all educational institutions shall remain locked during school hours with the exception of transition times.
- The fire code is also amended to allow districts to keep interior doors locked as long as egress is not impeded.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 788

### AN ACT TO CREATE THE RELIGIOUS VIEWPOINT ANTIDISCRIMINATION ACT; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB556
BILL SPONSOR(S)	Senator J. Dotson; Representative Vaught
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-10-137 (See "Notes" section below)
RULE PROMULGATION	No

## SUMMARY

Public school districts are required to treat a student's voluntary expression of a religious viewpoint on an otherwise permissible subject the same as a student's voluntary expression on a secular or other viewpoint on an otherwise permissible subject. School districts may not discriminate against a student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

School districts are required to adopt a policy to ensure the above requirements, as well as a public speaker policy that establishes a limited public forum for speakers at all school events. A student's expression of a religious viewpoint on an otherwise permissible subject shall not be excluded from the limited public forum. Additional policy requirements are set in law.

School districts also are required to eliminate any actual or perceived affirmative school sponsorship or attribution to the district of a student's public expression of a religious viewpoint.

A public school student may express his or her religious viewpoint in certain contexts without discrimination based on religious content.

## HIGHLIGHTS

- Public school districts must treat a student's religious viewpoint the same as a student's secular viewpoint.

- Public school districts must not discriminate against a student based on his or her expression of a religious viewpoint.
- Public school districts are required to adopt a policy regarding the aforementioned requirements in addition to other requirements set in law.
- Public school districts must adopt a public speaker policy that establishes a limited public forum for all speakers at all school events.
- Public school districts must eliminate any actual or perceived affirmative school sponsorship or attribution to the district of a student's public expression of a religious viewpoint.
- A public school student may express his or her religious viewpoint in certain contexts without discrimination based on religious content.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 790

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING THE ARKANSAS OPPORTUNITY PUBLIC SCHOOL CHOICE ACT; TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING THE PUBLIC SCHOOL CHOICE ACT OF 2015; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB570
BILL SPONSOR(S)	Senator J. English
CO-SPONSOR(S)	Representative Cozart
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-227; 6-18-1905
RULE PROMULGATION	Yes – Amendment

### SUMMARY

This bill amends § 6-18-227 (Opportunity School Choice) to mirror SB458, or Act 649, of 2023 and create an enrollment right for children of active-duty military members, surviving military spouses, reserve members six months before and six months after deployment, and veterans returning to civilian life (final posting).

### HIGHLIGHTS

- Transfer for a military dependent is limited to one transfer per school year.
- This bill also amends Ark. Code Ann. § 6-18-1905 to now require that nonresident districts notify applications of acceptance or rejection within 15 days of receiving the application. It also makes transfers effective immediately upon acceptance.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 791

AN ACT TO AMEND THE ARKANSAS CODE TO CLARIFY WHICH INDIVIDUALS ARE REQUIRED TO DEMONSTRATE PROFICIENCY IN KNOWLEDGE AND PRACTICES OF SCIENTIFIC READING INSTRUCTION; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB571
BILL SPONSOR(S)	Senator J. English
CO-SPONSOR(S)	Representative Cozart
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-17-429
RULE PROMULGATION	Amendment will be needed

### SUMMARY

Teachers who already have demonstrated Science of Reading proficiency through an approved, prescribed pathway and who are adding an endorsement to their license do not have to demonstrate proficiency again as a condition of licensure. Also, special education teachers need not demonstrate Science of Reading proficiency unless they teach a special education course that directly relates to student literacy.

### HIGHLIGHTS

- Teachers who already have demonstrated Science of Reading proficiency through an approved, prescribed pathway and who are adding an endorsement to their license need not do so again as a condition of licensure.
- Special education teachers do not have to demonstrate Science of Reading proficiency unless they teach a special education course that directly relates to student literacy.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 792

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING SCHOOL EMPLOYEE MISCONDUCT AND BACKGROUND CHECKS FOR REGISTERED VOLUNTEERS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB572
BILL SPONSOR(S)	Senator J. English
CO-SPONSOR(S)	Representative Cozart
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-17-407(b)(2)
RULE PROMULGATION	Yes - Amendment

### SUMMARY

This bill amends Ark. Code Ann. § 6-17-407(b)(2) to require that superintendents not give a favorable recommendation of employment for any school employee the superintendent has probable cause to believe has engaged in sexual misconduct with a minor.

### HIGHLIGHTS

- Coaching or athletic activities volunteers who will be unsupervised with minors must have an FBI background check. The volunteer is responsible for the cost of the background check.
- Volunteers must be checked against the Child Maltreatment Registry, with the report forwarded to the division.
- Background checks are secured against inspection.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 793

AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE CONCERNING PUBLIC EDUCATION; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB573
BILL SPONSOR(S)	Senator J. English
CO-SPONSOR(S)	Representative Cozart
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-4-302, 6-15-2701, 6-15-2903, 6-18-2004, 6-19-107, 6-20-2210, 6-20-2303, 6-20-2305, 6-20-2502, 6-28-104, 6-45-111
RULE PROMULGATION	Rules amendments needed

### SUMMARY

This is a Title 6 technical corrections bill. It corrects citations to federal law, changes the term “English language learners” to “English learners,” changes the statewide assessment from Fall to Spring, and amends provisions relating to the Division of Public School Academic Facilities and Transportation.

### HIGHLIGHTS

- This law corrects citations to federal law in Ark. Code Ann. 6-4-302.
- It clarifies the definition of and changes the term “English language learners” to “English learners” throughout various code sections.
- The law recognizes that the Division of Public School Academic Facilities and Transportation does not have a form application for bus drivers.
- It clarifies language concerning the calculation of the Academic Facilities Wealth Index.
- The law notes that the Division of Elementary and Secondary Education assesses early childhood programs.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 802

AN ACT TO REPEAL THE PUBLIC SCHOOL EDUCATIONAL COOPERATIVE ACT OF 1981; TO AMEND THE EDUCATION SERVICE COOPERATIVE ACT OF 1985; TO AMEND THE LAW CONCERNING A BOARD OF DIRECTORS THAT GOVERNS AN EDUCATION SERVICE COOPERATIVE; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1192
BILL SPONSOR(S)	Representative Eubanks
CO-SPONSOR(S)	Senator Flippo
EFFECTIVE DATE(S)	On or after January 1, 2024
STATUTE(S)	Ark. Code Ann. 6-13-901 et seq., 6-13-1006, and 6-13-1007
RULE PROMULGATION	Amendment required

### SUMMARY

Each educational services cooperative will have a board consisting of one member elected by the board of directors of each school district that is a member of the ESC. Each ESC board member's term is two years, which is renewable. The first meeting of the newly-constituted ESC board must be held within 30 days of the effective date of Act 802.

### HIGHLIGHTS

- The first meeting of the new ESC board must be held within 30 days of the effective date of the act.
- The ESC board shall consist of one member elected by the board of directors of each member school district.
- Each ESC board member's term is two years, which is renewable.
- The ESC board must compile data reflecting improvement in student performance and must report these data to school districts within the ESC boundary.

## **IMPLEMENTATION TIMELINE**

- The first meeting of the reconstituted ESC board must take place within 30 days of the effective date of Act 802.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 811

AN ACT TO REQUIRE THAT OPIOID OVERDOSE RESCUE KITS BE  
LOCATED ON EACH CAMPUS OF EACH PUBLIC HIGH SCHOOL  
AND STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION; AND  
FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1514
BILL SPONSOR(S)	Representatives T. Shephard, F. Allen, Barker, M. Berry, Clowney, A. Collins, Cozart, Ennett, Eubanks, K. Ferguson, V. Flowers, D. Garner, Gazaway, Gramlich, Hudson, Magie, McCullough, Nicks, Painter, Pilkington, J. Richardson, Schultz, Scott, Springer, Tosh, Unger, Wardlaw, D. Whitaker
CO-SPONSOR(S)	Senators Chesterfield, F. Love, C. Tucker, G. Leding, K. Hammer, Hester
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. 6-18-720; 6-60-119
RULE PROMULGATION	No

### SUMMARY

By January 1, 2024, each public high school campus and institution of higher education must have an opioid overdose rescue kit in various areas throughout the facilities, with the location of each rescue kit registered with the school nurse and school resource officer (in K-12) and with campus police, the health center, and the Department of Public Safety (in higher education institutions). In K-12, school nurses and resource officers must carry overdose rescue medication on their person at all times. Use of an opioid rescue kit must be reported through the Criminal Justice Institute to the office of the Arkansas Drug Director (in K-12) and to the Arkansas Drug Director (in higher education institutions). Higher education institutions must provide training concerning the use and location of each overdose rescue kit during freshmen student orientation.



# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 850

AN ACT TO AMEND THE MINIMUM TEACHER COMPENSATION SCHEDULE UNDER THE PUBLIC SCHOOL FUNDING ACT OF 2003 TO INCLUDE OPEN-ENROLLMENT PUBLIC CHARTER SCHOOLS; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	HB1795
BILL SPONSOR(S)	Representative G. Hodges
CO-SPONSOR(S)	
EFFECTIVE DATE(S)	August 1, 2023
STATUTE(S)	Ark. Code Ann. § 6-17-2403
RULE PROMULGATION	Yes - Amendment

### **SUMMARY**

This bill adds open-enrollment public charter schools to Ark. Code Ann. § 6-17-2403, the minimum teacher compensation schedule under the Public School Funding Act of 2003.

### **HIGHLIGHTS**

This bill specifically grants open-enrollment public charter schools the right to seek a waiver if compliance would negatively impact student safety, put the charter in fiscal distress, or negatively impact the charter's educational programs.





# LEGISLATIVE REVIEW

ARKANSAS DEPARTMENT OF EDUCATION

## ACT 883

AN ACT TO AMEND ARKANSAS LAW CONCERNING SCHOOL DISTRICT BOARDS OF DIRECTORS; AMENDING A PORTION OF LAW RESULTING FROM INITIATED ACT 1 OF 1990; AND FOR OTHER PURPOSES.

HOUSE/SENATE BILL	SB543
BILL SPONSOR(S)	Senator Hammer
CO-SPONSOR(S)	Representative Cozart
EFFECTIVE DATE(S)	On or after May 1, 2024
STATUTE(S)	Ark. Code Ann. 6-13-611, 6-13-617, 6-13-619, 6-24-104, 6-24-115, 6-24-116, 6-24-117, 6-24-118, 7-6-217, and 7-6-218.
RULE PROMULGATION	The Arkansas Ethics Commission may promulgate rules (No ADE rulemaking)

### SUMMARY

The law makes various changes to the law governing school district boards of directors. Among other changes, it creates a board vacancy if a member violates Ethical Guidelines and Prohibitions set forth in Ark. Code Ann. 6-24-101 et seq.; expands matters that may be discussed in executive session and the persons who may attend; makes it an ethical violation for a board member, administrator, or employee to disclose information learned during an executive session (unless otherwise authorized by law); and regulates board member conduct while on school grounds or at school-sponsored events. The law charges the Arkansas Ethics Commission with supervising compliance with Ark. Code Ann. 6-24-101 et seq., including investigating citizen complaints alleging board member violations and establishing enforcement mechanisms.

### HIGHLIGHTS

- This law creates a board of directors vacancy if a member violates the Ethical Guidelines and Prohibition set forth in Ark. Code Ann. 6-14-101 et seq.
- It expands topics that may be discussed in executive session and who may attend.
- The law creates an ethical violation if a board member, administrator, or employee discloses information learned during an executive session (unless otherwise authorized by law).
- It authorizes the Arkansas Ethics Commission to investigate complaints of board member violations.