

# 93rd General Assembly Regular Session

AAEA & ASBA  
Joint Leadership  
Conference  
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# New Acts of 2021



# HB 1009 - Excess Food Distribution for On or Off Campus Distribution

**Act  
141**

- Allows a public school or an open-enrollment public charter school to distribute excess food to students for consumption on the school campus or at home, as long as the district does so in collaboration with a charitable non-profit partner.

# HB 1023 - PTA Tax Exemption for Sales/Events

**Act  
873**

- Provides for the exemption for sales tax for items sold at PTA events when specifically related to a school activity.

# HB 1029 - Adds John Walker to Civil Rights Leaders Education

**Act  
259**

- Adds John W. Walker to be included in the list of Arkansas Civil Rights Leaders regarding African-American History for which emphasis is to be placed in teaching materials in a public School.

# HB 1056 - Allows Remote Public Meetings During Emergencies

**Act  
56**

- Allows the use of virtual meetings when the Governor has declared a state of emergency to satisfy the meeting requirements under the FOIA.
- However, districts must still meet all remote attendance requirements and prohibitions under 6-13-619.
  - Must have a policy for remote attendance by board members.
  - Remotely attending board members can not attend executive session or vote on items during the meeting they are attending remotely that were discussed in executive session.
  - May only use remotely attending board members to constitute a quorum three (3) times in one calendar year.

# HB 1100 - Clarifies School District Employees and Volunteers as Mandated Reporters

**Act  
556**

- Clarifies Mandated Reporters under the Child Maltreatment Act
  - Any full time or part time employee (Now includes all Classified in addition to those previously covered); **and**
  - A person who is at least twenty-one (21) years of age and volunteers in a public school or private school: (A) As a coach or director of a public or private athletic organization, team, or club; or (B) As a coach or director of a public or private nonathletic organization, team, or club.

# HB 1102 - Amended Board Training Hours Requirements (ASBA Bill)

**Act  
182**

- Requires the training on information regarding **school safety** and **student discipline** be received as part of the board member's initial nine (9) hours;
- Standardizes the format of the superintendent's annual report on board training hours; **and**
- Increases the window for a board member to cure deficient hours to be from January 1 through thirty (30) days following the board's January meeting.



# HB 1104 - Amends Commissioner of Education Approval for Special Elections

**Act  
85**

- Removes the requirement for the Commissioner of Elementary and Secondary Education to approve the date of special millage Elections.

# HB 1113 - Donation of Commissioner Lands to Education

**Act  
350**

- Allows land previously donated by the Arkansas Land Commissioner to be transferred to a school district or an open-enrollment charter school for purposes of establishing a school.

# HB 1151 - Suspend Assignment of School Letter Grades for 2020-2021

**Act  
89**

- A suspension of the public school letter grades for the 2020-2021 school year was approved due to the continuing disruption to education caused by the ongoing coronavirus 2019 (COVID-19) pandemic.

# HB 1157 - Double Teacher Classroom Tax Deduction

**Act  
968**

- Doubled the amount of eligible classroom expenditures that a teacher could claim for a tax deduction, from \$250 to \$500.

# HB 1172 - Requires Procedural Process on Act 1240 Waiver Review

**Act  
678**

- Provides a procedural process for when the State Board of Education chooses to review or repeal Act 1240 Waivers.
- Requires both the superintendent and board president to be notified of the State Board's intention to review that district's waivers and when the review hearing will be held.

# HB 1175 - Adjusts Filing Deadline for November School Board Elections

**Act  
349**

- Amends the one week candidate filing period to end ninety (90) days prior to the election, instead of on August 1<sup>st</sup>.

# HB 1188 - Allows Installation of School Safety Equipment Without a License

**Act  
660**

- Allows the installation of safety surveillance equipment by technicians without a license from the Director of Division of State Police provided the following are met:
  - The technician submits and passes state and national criminal background checks to be conducted by the Identification Bureau of the Division of Arkansas State Police and the Federal Bureau of Investigation.

# HB 1193 - Extends Vacancy Filling Period for the Death of a School Board Member (ASBA Bill)

**Act  
261**

- Increases the amount of time a board has to fill a vacancy on the board from thirty (30) days to sixty (60) days when the reason for the vacancy is the death of a board member.



# HB 1194 - Rounds Up the Commodity Threshold Increase (ASBA Bill) (1 of 2)

**Act  
262**

Amends the annual bid purchase threshold increase process to provide:

- The current bid purchase threshold is multiplied by the increase, if any, to the consumer price index – urban; and
- Allows the Commissioner of Elementary and Secondary Education to round the increase of the bid purchase threshold up to the nearest one hundred dollars (\$100).
- First year for this to be effective will be July 1, 2022 (FY23).

***(See Next Slide)***

# HB 1194 - Rounds Up the Commodity Threshold Increase (ASBA Bill) (2 of 2)

**Act  
262**

<u>Year</u>	<u>Initial Amount</u>	<u>Increase</u>	<u>New Amount</u>
2017	\$20,000	0	\$20,000
2018	\$20,000	\$500	\$20,500
2019	\$20,500	\$410	\$20,910
2020	\$20,910	\$374	\$21,284

# HB 1237 - Amendment of School Start Date

**Act  
688**

- Beginning in the 2022-2023 school year, the first day of school shall not be before the Monday two (2) weeks prior to Labor Day.
- Allows districts, who choose, to convert student instructional days into hours.

# HB 1265 - Amends Law Concerning the Unlawful Passing of a School Bus

**Act  
264**

- Clarifies the places where a driver is mandated to stop for a school bus stopped for the loading or unloading of passengers.
- Drivers must come to a complete stop not less than thirty feet (30') before reaching the school bus upon:
  - (1) A public road, street, or highway;
  - (2) Private or public property open to the general public;
  - (3) A private or public road, driveway, or parking lot belonging to a kindergarten through grade twelve (K-12) private or public school.

# HB 1429 - Waiting Period for Home School Students to Withdraw from a School District

**Act  
623**

- Adjusts the number of days for the waiting period for a student to withdraw from public school to enter Home School during a semester from fourteen (14) calendar days to five (5) school days.

# HB 1433 - Amends Enhanced Transportation Funding for 2021-2022 and 2022-2023 (§ 6-20-2309)

**Act  
400**

- This bill contains a list of all school districts in the state and how much Enhanced Transportation is scheduled to receive, if any, for FY22 and FY23.

[To access a copy of the bill, click here](#)

# HB 1446 - Succeed Scholarship Eligibility Addition

**Act  
689**

- Adds students who are children of a member of the uniformed services to those who are eligible to receive a scholarship from the Succeed Scholarship Program.
- (Previously, only students with disabilities and students in foster care were eligible to receive a scholarship from the Succeed Scholarship Program.)

# HB 1451 - Allows Districts to Adopt Approved Bilingual or Dual-Immersion Programs

**Act  
663**

- A public school district or an open-enrollment public charter school is allowed to adopt a bilingual program or a dual-immersion program approved by DESE.



# HB 1464 - Instructional Materials Parental Review

**Act  
684**

- Codifies existing ASBA model policy (5.5 and 5.6) to review and challenge instructional materials, events, and activities.

# HB 1510 / SB 407 - SRO MOU's Required

Acts  
622 &  
551

- School districts must either have:
  - An MOU with a local law enforcement agency that governs certain requirements in order for the district to have legal SRO's; **or**
  - Have a policy governing the same requirements as the MOU if the district has gone through the process to have its own law enforcement agency
- The bill also sets forth specific training requirements for law enforcement officers (SRO's are law enforcement officers) in order for them to be employed on campus.

# HB 1540 - Census Redistricting Timelines (ASBA Bill)

**Act  
511**

- Adjusts the timelines for redistricting following the decennial census to account for changes in the signature petitions timeline (from 30 to 90 days) and the school board election date (from September to the two current options of spring and fall).

# HB 1541 - Local Health Insurance Contribution Rate Clarification

**Act  
621**

- Requires school districts to increase the districts local contribution rate to the employees health insurance by the same percentage that a school district increases the base salary for licensed personnel with a minimum of a bachelor's degree under the licensed salary schedule adopted by the school district.

# HB 1547 - Prohibits Mandated COVID-19 Vaccines for Students and Employees

**Act  
977**

- Prohibits students from being required to receive the COVID-19 vaccine to attend class.
- Prohibits employers from coercing employees into receiving the vaccine.
- This prohibition is set to expire two (2) years from enactment.

# HB 1549 / SB 394 - Amends School Safety Plan Requirements

**Acts  
620 &  
648**

- Creates the Advisory Board of the Arkansas Center for School Safety.
- Requires districts to complete a school safety audit every three (3) years.
- Adds mental health to the required professional development for licensed staff.
- Requires school counselors to receive “mental health first aid” by September 1<sup>st</sup> of 2024, and every four (4) years thereafter.

# HB 1591 - Licensed Staff Suspension to SROs

**Act  
964**

- Allows the superintendent to notify the SRO of licensed employee suspension or termination.
- When necessary for campus security and student safety, it allows a superintendent to provide the following information beyond the notification of suspension/termination to the SRO:
  - Reasons for suspension;
  - Identity of other individuals involved in the recommendation for termination;
  - Any further disciplinary actions taken with the employee.
- The information shared must be only the minimum necessary.

# HB 1592 - Creates Arkansas Student Protection Act

**Act  
820**

- Prohibits a public school or open-enrollment public charter school from knowingly entering into any type of transaction with an individual or entity that:
  - (1) Performs abortions; (2) Induces abortions; or (3) Provides abortions.
- Districts violating this subchapter shall, at the direction of DESE or the State Board of Education, appear before the state board for the purpose of determining:
  - (1) Why this subchapter and division rules were violated; and
  - (2) How to prevent the violation of this subchapter and division 4 rules in the future



# HB 1594 - Amends the Law Concerning Teaching Licenses

**Act  
513**

- Allows DESE to grant a teacher license to an individual who, in addition to fulfilling the requirements to teach in this state, satisfies the following requirements:
- (1) The United States Department of Homeland Security has approved the individual's request for exemption under the Deferred Action for Childhood Arrivals policy;
- (2) The individual's exemption status under the Deferred Action 31 for Childhood Arrivals policy has:
  - (A) Not expired; or
  - (B) Been properly renewed; and
  - (C) The individual has a current and valid employment authorization document issued by the United States Citizenship and Immigration Service.

# HB 1610 - Use of Student Restraints in Public Schools (1 of 2)

**Act  
1084**

- Requires districts to adopt a policy covering:
  - Establishment of a problem solving and intervention team who is responsible for establishing behavioral intervention plans for students when necessary, which should include at least one team member who is an academic and behavioral assessment and intervention professional.
  - Implementation of a behavioral intervention service, support, or strategy to teach and increase appropriate behavior or substantially decrease or eliminate behavior that is dangerous, inappropriate, or otherwise impedes the learning of a student.
- Provide a crisis intervention training program to staff.

# HB 1610 - Use of Student Restraints in Public Schools (2 of 2)

**Act  
1084**

- Restrict the use of physical restraint outside of emergencies to those staff who have been trained and who use the least restrictive technique necessary.
- Prohibit the use of mechanical restraint and chemical restraint as defined in the Act.
- Notify parents of the use of physical restraint on the student and provide a copy of the after-action report.
- Hold a debriefing meeting following the use of physical restraint.

# HB 1611 - Distribution of Feminine Hygiene Products in Schools

**Act  
933**

- Allows public schools and open enrollment charter schools to use multiple sources of federal funds to provide feminine hygiene products to students at no charge.

# HB 1614 / SB 504 - Creates the Teacher Salary Equalization Fund

**Acts  
680 &  
679**

- For the 2021-2022 and 2022-2023 school years, the statewide target average annual salary shall be fifty-one thousand eight hundred twenty-two dollars (\$51,822).
- The House and Senate Joint Education Committee shall set the statewide target average annual salary for the 2023-2024 and 2024-2025 school years, and each biennium thereafter, as part of the adequacy review process.
- Beginning with the 2021-2022 school year, school districts having an average annual teacher salary below the statewide target average annual salary, teacher salary equalization funding shall be equal to one hundred eighty-five dollars (\$185) multiplied by the average daily membership (ADM) of the school district for the previous school year.
- Districts who receive the Educator Compensation Program Funding are not currently eligible to receive both sets of funds.

# HB 1677 - Amends Public School Funding Amounts

Act  
614

## Foundation Funding

<del>2020-2021 School Year</del>	<del>\$7,018</del>
2021-2022 School Year	\$7,182
2022-2023 School year	\$7,349

## English Language Learners

<del>2020-2021 School Year</del>	<del>\$352</del>
2021-2022 School Year	\$359
2022-2023 School Year	\$366

## ALE Funding

<del>2020-2021 School Year</del>	<del>\$4,700</del>
2021-2022 School Year	\$4,794
2022-2023 School Year	\$4,890

## Professional Development

<del>2020-2021 School Year</del>	<del>\$40.80</del>
2021-2022 School Year	\$40.80
2022-2023 School Year	\$40.80

## Additional Funding for PD for Professional Learning Communities (PLC's)

<del>2020-2021 School Year</del>	<del>\$12,500,000</del>
2021-2022 School Year	\$14,500,000
2022-2023 School Year	\$16,500,000

# HB 1678 - K-12 Teacher Licenses for Higher Education Professors

**Act  
657**

- Creates the Highly Qualified Professor and Teacher Act.
- A university professor or an assistant professor may receive a teaching license issued by the State Board of Education upon completion of application requirements.

# HB 1700 - College and Jobs Information Packets

**Act  
1066**

- Beginning July 1, 2022, DESE shall publish and distribute college and job information to middle and high school students in the State of Arkansas on an annual basis.
- This information is to provide students, parents and guidance counselors with reliable information regarding the cost of college and job and opportunities in Arkansas.



# HB 1744 - Amends the Minimum Score Required on the United States Citizenship Civics Test

**Act  
730**

- Amended the passage requirement on the exam similar to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services that students are required to graduate.
- A passing score will now be sixty percent (60%) rather than 60 correct answers.

# HB 1750 - Transfer Former Isolated School Campus Instead of Closing

**Act  
662**

- When a district is considering closing the campus of a school that the district previously received through consolidation, a contiguous district may offer to accept the campus to be closed instead.

# HB 1770 - Student ID Information

**Act  
1069**

- Requires, beginning 2021-2022, that certain information be included on **new or replaced** student identification badges:
  - A national domestic violence hotline;
  - A national sexual assault hotline;
  - A national suicide prevention hotline; and
  - Campus-related contact information.

# HB 1783 - Allows Students In-School Access to Vending Machines

**Act  
1070**

- Students in grades 7 – 12 may access vending machines during the school day, so long as the vending machines offer only food and beverages that meet Federal Smart Snacks Standards provided student access is authorized under the district's **Wellness Plan**.

# HB 1826 - Nurse Training and Health Survey

**Act  
1089**

- Requires school nurses to participate in nursing professional development.
- Requires public schools to participate in a Health Services Survey.
- Requires the School Nurse to present the Health Services Survey information to the school board annually.

# HB 1831 - Creates the Star-Spangled Banner Act

**Act  
958**

- Requires a school to play or perform the “Star Spangled Banner” at:
  - The commencement of each school-sanctioned sporting event.
  - Least one (1) time each week during school hours.

# HB 1832 - Moment of Silence and Pledge of Allegiance

**Act  
959**

- Requires public schools to:
  - Observe a moment of silence following the daily recitation of the Pledge of Allegiance; and
  - Recite the Pledge of Allegiance at school assemblies and sporting events

# HB 1837 - Additional Teaching License Disqualification

**Act  
985**

- Prohibits the issuance or renewal of a teaching license to a person who has pled guilty or nolo contendere or has been found guilty of sexually grooming a child.



# HB 1848 - Healthy Active Arkansas Schools Act

**Act  
1074**

- Requires ADE and ADH to collaborate so that by the 2022-2023 school year they have created guidance for districts that requires that the district include in the district's wellness priorities the nine (9) Healthy Active Arkansas emphasis areas as consolidated into the following four (4) items:
  - Physical and in-built environment, which includes such items as physical activity and school gardens;
  - Nutrition Standards, which includes such items as healthy meals and farm to school programs;
  - Physical education and activity, which includes recess and other activity opportunities; and
  - Age appropriate breast feeding education.

# HB 1855 - Amends District Bond Requirements

**Act  
986**

- Amends the law concerning the bonding procedure for payment or performance bonds issued under contracts for the construction, erection, alteration, demolition, or repair of any building, structure, or improvement.
- Sets the construction project cost determining when a bond is required up to \$50,000.

# HB 1863 - Creates the Public School Americans with Disabilities Act Compliance Committee

**Act  
987**

- Creates a six member ADA Compliance Committee who is responsible for assisting districts in bringing district facilities into compliance with the ADA, which includes creating an online professional learning course.
- Requires that the following be included in a Facilities Master Plan by February 1, 2024:
  - An assessment of all of the district's facilities with respect to compliance with the ADA; and
  - A Transition plan establishing the steps necessary to bring all district facilities into compliance with the ADA.

# HB 1891 - Statewide Dyslexia Personnel Network

**Act  
1016**

- DESE shall:
  - (1) Create a network of Certified Academic Language Therapists to support public schools for the purpose of providing a specialized dyslexia instructional program;
  - (2) Establish and coordinate a dyslexia therapy training program for educators to increase the number of Certified Academic Language Therapists available;
  - (3) Annually convene the network to:
    - (A) Provide updated guidance;
    - (B) Create resources for public schools and parents, legal guardians, and persons standing in loco parentis of public school students;
    - (C) Review outcomes data for reading in the state.

# SB 31 - Amends the Components of a College and Career Readiness Assessment

**Act  
319**

- Adds a career readiness assessment that leads to a nationally recognized work readiness certificate as an option for the requirement that a district provide a statewide assessment to a student in grades ten through twelve (10-12) before he or she graduates from high school.

# SB 60 - Amends Mandated Vision Screenings for Public School Students

**Act  
320**

- Requires that DESE, in conjunction with the Arkansas Commission on Eye and Vision Care of School-Age Children, shall adopt rules to establish the tests, procedures, equipment, and instruments that shall be used to perform eye and vision screenings.
- Removed the specific set of tests that were included in statute to provide greater flexibility in the rule making process.

# SB 61 - College and Career Coaches Program

**Act  
633**

- Technical corrections to the College and Career Coaches Program.
- Reduced the number of years between program audits from five (5) years to two (2) years.
- Eliminated prioritization for college and career coaches programs in Tier 3 and Tier 4 counties.
- Added to the list of duties for college and career coaches the duty to assist with the creation of student success plans.
- Transferred data collection from DESE to DCTE.

# SB 62 - Amends the Right to Read Act

**Act  
489**

- Moves the requirement for all teachers employed in a classroom teaching position that requires an elementary education (K-6) license or special education (K-12) license to demonstrate proficiency in knowledge and practices of scientific reading instruction from 2021-2022 school year to the 2023-2024 school year.
- A teacher that has not demonstrated proficiency by the 2023-2024 school year may be afforded an opportunity to demonstrate proficiency by being placed in intensive support status.



# SB 64 - Amends the Arkansas Code Concerning Public Education

**Act  
544**

- Technical corrections bill
- Districts are no longer required to, but may, publish the annual performance report (A.C.A. 6-15-2101).

# SB 89 - Succeed Scholarship Technical Corrections

**Act  
741**

- Authorizes a lottery process should the number of applications exceed the available funding.
- Clarifies the definition for students with disabilities for purposes of eligibility to now be:
  - (A) Identified by a public school district as having a disability consistent with the Individuals with Disabilities Education Act; or
  - (B) Medically diagnosed by a licensed physician as a child with a disability under the Individuals with Disabilities Education Act.

# SB 101 - Enhanced Student Achievement Expenditure Categories

**Act  
322**

- Repeals all previous pre-approved expenditure categories and replaces with new categories that districts may expend funds on based on justified needs, but that are not automatically pre-approved.
- Requires districts to create a three (3) year expenditure plan demonstrating justification behind the need for the expenditures.
- Requires annual review of the three (3) year expenditure plan.
- Districts must submit the three (3) year expenditure plan to DESE along with their annual budget.

# SB 107 - Creates the Computer Science Education Advancement Act of 2021

**Act  
414**

- Beginning with the **entering ninth grade class of 2022-2023**, a public high school student shall be required to earn one (1) unit of credit in a Department of Education-approved high school computer science course before the student graduates.
- Beginning with the 2023-2024 school year, districts shall employ a computer science teacher at each high school in the district.

# SB 120 - Concerning Rulemaking Authority Under the School Counseling Improvement Act of 2019

**Act  
650**

- Authorizes the State Board of Education to promulgate rules to implement the School Counseling Improvement Act of 2019.

# SB 124 - Statewide Assessment Return Deadline

**Act  
251**

- DESE shall provide for statewide student assessments that are:
  - (1) Moves the deadline by when scores from the statewide assessment must be returned to DESE from July 1st to **August 1** of each year.

# SB 131 - Arkansas Concurrent Challenge Scholarship Eligibility

**Act  
82**

- Removes the minimum letter grade of “C” requirement for courses taken towards the completion of a certificate under the Concurrent Challenge Scholarship Program and replaces with a 2.5 Grade Point Average.

# SB 147 - Amends the Arkansas Opportunity Public School Choice Act and the Public School Choice Act of 2015

**Act  
490**

- Provides that a student may apply for school choice under AOPSC to the following:
  - If the students district is identified in Level 5 Support, to another district that is not in Level 5 Support;
  - If the students school has a grade of “F”, to the nearest school within the district of the students grade level that does not have a grade of “F”; or
  - If the students school has a grade of “F” and there is no other school within the district of the students grade span that does not have a grade of “F”, to a school in another district that is not in Level 5 Support and does not have a grade of “F”.
- Amends both AOPSC and PSCA of 2015 to prohibit the acceptance (not receipt) of choice applications until after January 1<sup>st</sup>.



# SB 160 - Holocaust Education

Act  
611

- Beginning in the 2022-2023 school year, Holocaust education shall be taught in all public schools in a manner that:
  - (1) Generates an understanding of the causes, course, and effects of the Holocaust;
  - (2) Develops dialogue with students on the ramifications of bullying, bigotry, stereotyping, and discrimination; and
  - (3) Encourages tolerance of diversity and reverence for human dignity for all citizens in a pluralistic society.

# SB 161 - Hunting Safety Course as Part of Physical Education

**Act  
536**

- Allows a public school or public school district to offer to its public school students in grades five through twelve (5-12) a hunting safety course as part of the public school's or public school district's physical education and health and safety curriculum.

# SB 170 - Prohibits the Unlawful Doxxing of a Minor on Social Media

**Act  
375**

- "Doxxes" means to publish private or identifying information about a particular person on social media with malicious purpose.
- **A person commits the offense of doxxing of a minor on a social media platform if:**
  - (1) The person knowingly doxxes or transmits, sends, or posts a communication concerning a minor to a social media platform with the purpose to frighten, coerce, intimidate, threaten, abuse, or harass the minor; and
  - (2) The communication causes the minor to be in reasonable fear of physical injury.
- Unlawful doxxing of a minor on a social media platform is a crime ranging from a Class A Misdemeanor to a Class C Felony depending on the level of harm to the minor.

# SB 174 - Retiree Sit-Out Period Elimination

**Act  
290**

- Amends ATRS “normal retirement age” to:
  - (A) Sixty-five (65) years of age if the member has at least five (5) years of actual service; or
  - (B) At least sixty (60) years of age if the member has a combined total of thirty-eight (38) years or more of credited service in the Arkansas Teacher Retirement System, Teacher Deferred Retirement Option Plan, or reciprocal service in another eligible state retirement system.
- Eliminates the sit-out period for employing retirees who meet the “normal retirement age” definition above.

# SB 194 - Photos = Copying Under FOIA

**Act  
310**

- Clarifies that the term "copy" used in the Freedom of Information Act of 1967, § 25-19-101 et seq., includes the ability of a citizen to capture still and moving images through image capture, including still and moving photography and video and digital recording.

# SB 196 - Amends the Awarding of Attorneys Fees under the FOIA

**Act  
572**

- For all FOI cases going forward, a court shall assess **against the defendant** reasonable attorney's fees and other litigation expenses reasonably incurred by a plaintiff who, after filing suit, has obtained from the defendant a significant or material portion of the public information he or she requested.

# SB 207 - Enhanced Transportation Funding Amounts

**Act  
323**

- To view your districts Enhanced Transportation Funding Amount [click here](#).

# SB 244 - Sales Tax Exemption for District Student Technology Purchases

**Act  
914**

- Amends the definition of “Instructional Materials” to provide a sales tax exemption for all of the following:
  - Technology-based educational materials and electronic software that require the use of electronic equipment in order to be used in the learning process; and the equipment required to make use of these materials.



# SB 249 - Requires Earthquake Safety Drills in Certain Areas

**Act  
442**

- Transferred authority over earthquake drill requirements from the Department of Emergency Management to DESE.
- Authorizes DESE to designate districts required to perform earthquake safety drills to those in areas susceptible to earthquakes.
- Removes the specific months when tornado drills must be conducted.

# SB 291 -Community School Approach

**Act  
744**

- Allows districts to implement a Community School Approach
- "Community School Plan" means a plan that establishes how educators, school staff, governmental entities, and community partners will use and leverage all available assets to meet specific student and family needs in order to improve opportunities and outcomes for students.
- The Community School Plan should be centered around the four (4) pillars of community schools.

# SB 341 - Amends the Law Concerning Public Employees; and to Prohibit Collective Bargaining

**Act  
612**

- Prohibits public employee collective bargaining, except as specifically exempted under the act. (Firefighters, Police, and Public Transportation)
  - (A) A public employer shall not recognize a labor union or other public employee association as a bargaining agent of public employees.
  - (B) A public employer shall not collectively bargain or enter into any collective bargaining contract with a labor union or other public employee association or its agents with respect to any matter relating to public employees, public employees' employment with a public employer, or public employees' tenure with a public employer.

# SB 349 - Science of Reading Update and Education Ombudsman (1 of 2)

**Act  
606**

- A public school district or an open-enrollment public charter school shall not use a program of instruction for students in kindergarten through grade two (K-2) that does not comply with the Science of Reading.
- If the state board determines that a public school district or an open-enrollment public charter school has violated this section, the state board shall direct the division to withhold a maximum of ten percent (10%) of the monthly distribution of state foundation funding aid to the public school district or open-enrollment public charter school, until such time as the State Board determines the school to be back in compliance.

# SB 349 - Science of Reading Update and Education Ombudsman (2 of 2)

**Act  
606**

- The Secretary of Education shall employ an Education Ombudsman to oversee the state literacy program.
- The Education Ombudsman is allowed to hear complaints from students, parents, district administrators, or district employees.
- Board members who would not fall under one of the above categories are not authorized to submit complaints to the Education Ombudsman.

# SB 354 - Creates the Fairness in Women's Sports Act

**Act  
461**

- Interscholastic, intercollegiate, intramural, or club athletic teams or sports that are sponsored by a school shall be expressly designated as one (1) of the following based on biological sex:
  - (1) "Male", "Men's", or "Boys"
  - (2) "Female", "Women's", or "Girls"
- An interscholastic, intercollegiate, intramural, or club athletic team or sport that is expressly designated for females, women, or girls shall not be open to students of the male sex or "Coed" or "mixed".

# SB 389 - Sex Education Parental Review and Student Opt Out (1 of 2)

**Act  
552**

- Public schools shall make the following, as they relate to sex education, sexual orientation, and gender identity, available for inspection by parents and legal guardians of participating public school students:
  - (A) Curricula;
  - (B) Materials;
  - (C) Tests;
  - (D) Surveys;
  - (E) Questionnaires;
  - (F) Activities; and
  - (G) Instruction of any kind.

# SB 389 - Sex Education Parental Review and Student Opt Out (2 of 2)

- the District shall provide written notification to parents and legal guardians of their ability to review or that parents may submit a written request for their student to be excused from any of the items A-G above.
- The District's notification method shall ensure that the District receives a confirmation of the written notification receipt from parents and legal guardians
- A district is not required to provide prior notification to parents or allow a student to be excused if:
  - The item is directly related to a requirement under the Arkansas academic standards;
  - A District employee is responding to questions posed by students during class regarding sex education, sexual orientation, or gender identity as it relates to a topic of instruction; or
  - A District employee refers to the sexual orientation or gender identity of a historical person, group, or public figure when such information provides necessary context in relation to a topic of instruction.



# SB 397 - Creates the Higher Education Consumer Guide Act (1 of 2)

**Act  
539**

- The Arkansas Higher Education Coordinating Board shall create a Higher Education Consumer Guide that is designed for use by prospective students and parents and legal guardians of prospective students.
- The **Higher Education Consumer Guide** shall include the following information without limitation as it relates to the most recent state fiscal year for which the information is available:
  - (A) Retention and graduation rates;
  - (B) The cost of tuition;
  - (C) The average amount borrowed and loan default rate;
  - (D) Percentage of students who applied for first-time undergraduate admission and were offered admission to each state-supported institution of higher education that is not determined to be an open admission institution;

# SB 397 - Creates the Higher Education Consumer Guide Act (2 of 2)

**Act  
539**

- (E) Average composite test scores of students enrolled in each state-supported institution of higher education;
- (F) Job placement of students within the first three (3) years of graduation;
- (G) Income of college alumni over the first twenty (20) years after completion of their credential;
- (H) Percentage of students enrolled at each state supported institution of higher education from the top ten percent (10%) of a public high school class located in Arkansas; and
- (I) Average number of semesters for completion of an associate's or bachelor's credential at the institution.

# SB 450 - Gender Integrity Reinforcement Legislation for Sports (Girls) Act

**Act  
953**

- Interscholastic, intercollegiate, intramural, or club athletic teams or sports that are sponsored by a school shall be expressly designated as one (1) of the following based on biological sex:
  - (1) "Male", "Men's", or "Boys"
  - (2) "Female", "Women's", or "Girls"
- An interscholastic, intercollegiate, intramural, or club athletic team or sport that is expressly designated for females, women, or girls shall not be open to students of the male sex or "Coed" or "mixed".
- Authorizes the Attorney General to enforce knowing violations of the Act.

# SB 451 - Amends the Requirements for Visual Art and Music in Grades 5 & 6

**Act  
644**

- Students in grades 5 and 6 who attend a K-6 school that is configured as an elementary school are still required to participate in visual art and music classes for at least forty (40) minutes per week or an equivalent amount of instructional time each school year.
- Students who are in grades 5 or 6 who attend a school that is not configured as an elementary school may be permitted to participate in either:
  - Visual arts instruction, appreciation, and application; or
  - Performing arts instruction, appreciation, and application.

# SB 490 - Additional Public Office Holder Qualifications

If a person has pleaded guilty or nolo contendere to or has been found guilty of a **public trust crime**, he or she shall not:

- (1) **File as a candidate for:**
  - (A) A constitutional office;
  - (B) A county elected office; or
  - (C) An elected office in a municipality, city, township, or other political subdivision of the state;
- (2) **Run as a candidate for:**
  - (A) A constitutional office;
  - (B) A county elected office; or
  - (C) An elected office in a municipality, city, township, or other political subdivision of the state; or
- (3) **Hold:**
  - (A) A constitutional office;
  - (B) A county elected office; or
  - (C) An elected office in a municipality, city, township, or other political subdivision of the state.

# SB 496 - Special Election Dates

(1 of 2)

**Act  
610**

- Moved odd year annual school elections to be:
  - The second Tuesday in May; or
  - The second Tuesday in November
- Eliminated the requirements that a special millage election must take place prior to the annual school election.
- Repealed duplicable language dealing with unopposed candidates during odd year elections

# SB 496 - Special Election Dates

(2 of 2)

**Act  
610**

- Sets four (4) times per year when millage elections may be held:
  - Odd years: Second Tuesday of February, May, August, or November;
  - Even years with Governor: Second Tuesday of February and August; Four (4) weeks prior to the third (3<sup>rd</sup>) Tuesday in June; or First Tuesday after the first (1<sup>st</sup>) Monday in November
  - Even years with President: Second Tuesday in May and August or First (1<sup>st</sup>) Tuesday after the first (1<sup>st</sup>) Monday in March or November

# SB 524 - Teacher and Administrator Recruitment and Retention

Act  
646

- Requires, by August 1, 2022, each public school district and open-enrollment public charter school in the state to prepare a three-year teacher and administrator recruitment and retention plan.
- Requires school districts to review **annually** the:
  - (1) Recruitment and retention plan; and
  - (2) Progress of the school district in meeting the goals established in the plan.
    - The plan shall be:
      - (1) Updated annually with the Equity Assistance Center and shall be updated annually; and
      - (2) Posted on the school district's or open-enrollment public charter school's website no later than August 1 of each year



# SB 532 -Water Bottle Filling Stations

**Act  
775**

- Requires that public school buildings constructed, undergoing additions or being totally renovated on or after July 1, 2021 shall be equipped with water bottle filling stations.

# SB 564 - Creates the Arkansas Tutoring Corps Act

**Act  
912**

- Authorizes DESE to develop a program for training qualified tutors that is based around a specific curriculum selected by DESE for K-6 students to assist with learning loss.
- Provides for collaboration between DESE, DHE, institutions of higher education to potentially provide college credit for tutors.
- Allows for the use of ESSER Funds to cover the initial costs of the program.

# SB 569 - Adrenal Insufficiency Student Medications

**Act  
1050**

- Allows for school nurses and appropriately trained staff volunteers who are authorized by students parents to administer medication to a student diagnosed with adrenal insufficiency.

# SB 576 - Virtual or Remote Student Attendance Policy Required

**Act  
897**

- Applies the standard attendance tracking process for students who are attending in person to those who are attending virtually or remotely.
- Requires a public school to adopt attendance policy requirements for public school students attending school virtually or remotely if the attendance tracking method the district uses is different from how they track in person student attendance.

# SB 590 - Mask Mandates Prohibited

**Act  
1002**

- Prohibits a governmental entity from mandating masks to be worn as a condition for an individual for any of the following:
  - Entry into a facility;
  - Receipt of education;
  - Or the providing of services.

# SB 599 - The Arkansas Financial Education Commission

**Act  
1025**

- Establishes the Arkansas Financial Education Commission.
- Directs the Commission to create financial literacy programs for use in the state.

# SB 629 - Declining Enrollment Funding

**Act  
909**

- Allows school districts that are eligible to receive Special Needs Funding that have also experienced a decline in Average Daily Membership (ADM) to receive both Declining Enrollment Funding and Special Needs Isolated Funding.

# SB 662 - Governor Proclamation for Day of Prayer for Arkansas Students

**Act  
902**

- Requires the Governor to proclaim the last Wednesday in September to be a “Day of Prayer for Arkansas Students”.
- The prayer is to support students, teachers, administrators and schools.



# SB 680 - Private School Scholarship Program

**Act  
904**

- Establishes a voucher program by creating a private school scholarship program through donations from individuals (which may include corporations) that are eligible for one hundred percent (100%) tax credit.
- The program is currently capped at \$2,000,000.

# Other Topics

## Legislation

Legislation is the process of making or enacting laws by the legislative branch of a government and is a law or set of laws.

# Notable Bills That Failed, Went to Interim Study or Died



# HB 1097

**Died**

- Would have required the Arkansas Activities Association (AAA) to create two (2) separate athletic conference systems and two (2) separate play-off and state tournament systems with:
  - one system for **only public schools**; and
  - one system for **only private schools**.

# HB 1101 - Publically Called Board Meeting (ASBA Bill)

FAILED

Per A.C.A. § 6-13-619:

(a)(1) The board of directors of a public school district shall meet:

(C) When petitioned to meet by a verified written petition that:

(i) Is signed by the greater of:

(a) ~~fifty~~ **Fifty** (50) qualified electors in the school district; or

(b) As calculated on July 1 of each year, two percent (2) of the qualified electors in the school district.

# HB 1939 - Post Census Elections (ASBA Bill)

Interim  
Study

- This bill would have amended the board members who would have been up for election following the district redistricting process after the decennial census.
- It would have changed the board members up for election from all board members to only those whose terms had expired or whose zone boundaries were adjusted.

# SB 140

Failed

- Would have required the review of a **Student's Adverse Childhood Experiences** as part of the disciplinary process and implementation of positive behavioral interventions

# SB 540

Withdrawn  
by Sponsor

- Would have required the superintendent's contract to include specific terms regarding termination and buyout agreements.
- A superintendent's contract buyout agreement shall not:
  - Use state funds in an amount that would exceed the amount of money owed to the superintendent under the remainder of his or her contract of employment with a school district.
  - Use state funds to pay for a buyout beyond the current fiscal year, up to a maximum of twelve (12) months.



# SB 619

**Failed**

- Would have allowed a school board to change the board members length of terms from the existing term length to:
  - Four (4) year term.
  - Districts with at least a ten percent (10%) minority population would be permitted to choose between a four (4) year or five (5) year term.
- Districts who chose a four (4) year term would have one half (1/2) of their membership up for election each even year with no board member elections held in odd years.

Coming Your Way Soon



# Keep These Topics on Your Radar

- Voucher, Tax Deduction, Tax Credit and Scholarship Bills
- Unrestricted Building Fund Balances
- Box Store and Dark Store Theory
  - Assess stores as empty instead of actual goods on hand
  - Could lower school revenue due to lower assessed values

# Questions & Answers

A hand-drawn graphic on a piece of lined paper. The letters 'Q&A' are written in a large, bold, blue, hatched font. The 'Q' has a thick, rounded tail. The ampersand is also thick and hatched. The 'A' is a simple, blocky letter with hatching. The drawing is slightly tilted to the right.

You have

Questions

We have

Answers

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