

1 State of Arkansas
2 84th General Assembly
3 Second Extraordinary Session, 2003
4

Call Item 4

A Bill

HOUSE BILL 1096

5 By: Representative Mahony
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For An Act To Be Entitled

9 AN ACT TO INCREASE STUDENT RESPONSIBILITY FOR
10 PERFORMANCE ON END-OF-COURSE TESTING; AND FOR
11 OTHER PURPOSES.
12

Subtitle

14 AN ACT TO INCREASE STUDENT
15 RESPONSIBILITY FOR PERFORMANCE ON END-
16 OF-COURSE TESTING.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 6-15-404(j), concerning implementation of
22 the Arkansas Comprehensive, Testing, Assessment, and Accountability Program,
23 is amended to read as follows:

24 (j)(1) The department and the local school districts shall annually
25 compile and disseminate to the public results of all required examinations.

26 (2) The results of the end-of-course testing shall become a part
27 of each student's transcript or permanent record and shall be recorded on
28 these documents in a manner prescribed by the state board.

29 (3) The result of the end-of-course test shall be included as
30 part of the student's final grade in the course and shall count as no less
31 than fifteen percent (15%) of the student's final grade in the applicable
32 course.
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34 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
35 General Assembly of the State of Arkansas that the Arkansas Supreme Court in
36 Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the



1 current system of education to be unconstitutional because it is both
2 inequitable and inadequate; and the Arkansas Supreme Court set forth the test
3 for a constitutional system to be one in which the state has an “absolute
4 duty” to provide an “equal opportunity to an adequate education”; the
5 Arkansas Supreme Court instructed the General Assembly to undertake actions
6 as necessary to provide an opportunity for an adequate and equitable
7 education for the children of Arkansas; and the provisions of this bill are
8 necessary steps toward accomplishing that goal. Therefore, an emergency is
9 declared to exist and this act being immediately necessary for the
10 preservation of the public peace, health, and safety shall become effective
11 on:

- 12 (1) The date of its approval by the Governor;
- 13 (2) If the bill is neither approved nor vetoed by the Governor,
14 the expiration of the period of time during which the Governor may veto the
15 bill; or
- 16 (3) If the bill is vetoed by the Governor and the veto is
17 overridden, the date the last house overrides the veto.

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