

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: S1/29/13*  
**A Bill**

SENATE BILL 66

5 By: Senator Elliott  
6 By: Representative Lenderman  
7

**For An Act To Be Entitled**

9 AN ACT TO IMPROVE EDUCATION IN ARKANSAS BY CREATING  
10 DISTRICTS OF INNOVATION; AND FOR OTHER PURPOSES.

**Subtitle**

14 TO IMPROVE EDUCATION IN ARKANSAS BY  
15 CREATING DISTRICTS OF INNOVATION.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code Title 6, Chapter 15, is amended to add an  
21 additional subchapter to read as follows:  
22

23 Subchapter 28 -- District of Innovation Program

24  
25 6-15-2801. Definitions.

26 As used in this subchapter:

27 (1) "District of innovation" means a public school district that  
28 has:

29 (A) Developed a district of innovation plan in compliance  
30 with § 6-15-2803;

31 (B) Obtained necessary waivers from laws, rules, and local  
32 policies to improve the educational performance of students from the State  
33 Board of Education; and

34 (C) Been designated as a district of innovation by the  
35 state board.

36 (2) "Eligible employees" means the employees in a school that is



1 considering being designated as a school of innovation who are regularly  
2 employed at the school and whose primary job duties will be affected by the  
3 district of innovation plan;

4 (3) "Innovation" means a new or creative alternative to the  
5 existing instructional and administrative practices that is intended to  
6 improve academic performance and learning for all students; and

7 (4)(A) "School of innovation" means a school that participates  
8 voluntarily in a district of innovation to improve academic performance and  
9 learning of all students.

10 (B) A school of innovation is subject to the waivers  
11 approved by the state board for the school of innovation.

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13 6-15-2802. District of innovation designation -- Rules.

14 (a)(1) The Commissioner of Education may designate any public school  
15 district as a district of innovation for the purpose of improving the  
16 academic performance and learning of students.

17 (2) The State Board of Education shall provide flexibility  
18 through rule for an approved district of innovation by permitting the  
19 necessary waivers from laws, rules, and local policies to ensure that  
20 administrators, teachers, and staff meet the diverse needs of students.

21 (b) A district of innovation shall be approved for a period of five  
22 (5) years and may be renewed for a period of five (5) years thereafter.

23 (c) The state board shall adopt rules to administer this subchapter,  
24 including without limitation rules that address the:

25 (1) Rules subject to exemption or modification for a district of  
26 innovation if approved by the commissioner;

27 (2) Application, district of innovation plan review, approval,  
28 and amendment process for a public school district to establish a district of  
29 innovation;

30 (3) Timeline for initial approval of a district of innovation  
31 and subsequent renewal, including any ongoing evaluations a district of  
32 innovation is subject to;

33 (4) Documentation required to show sufficient parental,  
34 educator, community, and business support and capacity for the change  
35 identified in the district of innovation plan;

36 (5) Approval by the employees of a public school district or

1 school required by the district of innovation plan;

2 (6) Evidence of teacher collaboration and shared leadership  
3 responsibility within the public school district and each school seeking to  
4 become a school of innovation;

5 (7) Process for revocation of a district of innovation or school  
6 of innovation;

7 (8) Reporting and oversight responsibility of the district of  
8 innovation and the Department of Education;

9 (9) Budget and financial detail of the public school district or  
10 district of innovation, including evidence of sound financial management  
11 practices;

12 (10) Applicable areas of emphasis for innovation;

13 (11) Applicable documentation of job-embedded professional  
14 development within the proposed district of innovation plan; and

15 (12) Other information necessary as determined by the state  
16 board.

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18 6-15-2803. District of innovation plan.

19 (a) A public school district shall develop and submit a district of  
20 innovation plan to the *Commissioner of Education* to become a district of  
21 innovation.

22 (b) A district of innovation plan shall address, without limitation:

23 (1) The goals and performance targets for the district of  
24 innovation, which may include:

25 (A) Reducing the achievement gap among one (1) or more  
26 groups of students by expanding learning experiences for academically low-  
27 achieving students;

28 (B) Increasing student learning through the implementation  
29 of highly rigorous standards for student performance;

30 (C) Increasing student participation at each grade level  
31 in curriculum and instructional components within selected schools of  
32 innovation;

33 (D) Increasing the number of college and career ready  
34 students; and

35 (E) Motivating students at each grade level by offering  
36 more curriculum choices and student learning opportunities to parents and

1 students in the district of innovation.

2 (2) Changes needed in the public school district that will lead  
3 to better prepared students for success in life and work;

4 (3) Innovative practices that will be used in the district of  
5 innovation;

6 (4) Schools within the district of innovation that will be  
7 designated schools of innovation;

8 (5) Documentation of parental, educator, community, and business  
9 support and capacity for the proposed district of innovation;

10 (6) Rationale for law, rule, and local policy waiver requests;

11 (7) Fiscal and human resources the board of directors of the  
12 public school district will provide to the district of innovation; and

13 (8) Any other information requested by the commissioner.

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15 6-15-2804. District of innovation.

16 A public school district that is designated a district of innovation  
17 shall:

18 (1) Ensure that the same health, safety, civil rights, and  
19 disability rights requirements are in place as those that apply to all public  
20 school districts;

21 (2) Ensure that high school courses offered meet or exceed the  
22 minimum high school graduation or early graduation requirements adopted by  
23 the State Board of Education;

24 (3) Ensure that student performance standards meet or exceed the  
25 minimum student performance standards adopted by the state board;

26 (4) Adhere to financial audits, audit procedures, and audit  
27 requirements adopted by the state board for public school districts;

28 (5) Require criminal background checks for school employees and  
29 volunteers as required by law for public school districts;

30 (6) Comply with open records and open meeting requirements;

31 (7) Comply with purchasing limitations and requirements;

32 (8)(A) Provide instructional time that meets or exceeds the  
33 instructional time requirement adopted by the state board.

34 (B) Instructional time may include on-site instruction,  
35 distance or virtual learning, and work-based learning on nontraditional  
36 school days or hours; and

1           (9) Provide data requested by the Department of Education to  
2 generate reports.

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4           6-15-2805. School of innovation.

5           (a)(1) Except as provided under subdivision (b) of this section,  
6 before a public school district submits a district of innovation plan to the  
7 Commissioner of Education that includes designated schools of innovation, the  
8 eligible employees of each proposed school of innovation shall vote on  
9 whether the school shall be designated a school of innovation.

10           (2) A minimum of fifty-one percent (51%) of votes in support of  
11 the school being designated as a school of innovation is required before the  
12 public school district may include the school as a school of innovation in  
13 the district of innovation plan.

14           (3) A school-based council shall be responsible for conducting  
15 the vote required under subdivision (a)(1) of this section.

16           (b) The board of directors of a public school district may require a  
17 school that has been identified as a persistently low-achieving school to  
18 participate as a school of innovation in the district of innovation plan.

19           (c)(1) A school of innovation may request waivers from all of selected  
20 laws and rules concerning school-based decision making, including Personnel  
21 Policy Law for Classified Employees under § 6-17-201 et. seq. and § 6-17-2303  
22 et seq.

23           (2) A minimum of fifty-one percent (51%) of votes in support of  
24 requesting waivers under subdivision (c)(1) is required before the school of  
25 innovation may request a waiver.

26           (3) A school-based council shall be responsible for conducting  
27 the vote required under subdivision (c)(2) of this section.

28           (4) A superintendent, school board of directors, or the  
29 commissioner shall not compel a school of innovation to request a waiver  
30 under subdivision (c)(1) of this section.

31           (d) The commissioner shall ensure that teachers, staff, and parents  
32 are actively involved in the management and decision-making operations of a  
33 school of innovation, including the employment and selection of personnel,  
34 before waivers are granted to a school of innovation.

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36           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that all children in our state are  
2 entitled to an equal opportunity for an adequate education; that provisions  
3 of this act will help ensure that Arkansas students receive additional  
4 opportunities for educational success through a district of innovation  
5 program; and that this act is immediately necessary to ensure that the  
6 district of innovation program is established for the 2013-2014 school year.  
7 Therefore, an emergency is declared to exist, and this act being immediately  
8 necessary for the preservation of the public peace, health, and safety shall  
9 become effective on:

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

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

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

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17 /s/Elliott  
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