

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

HOUSE BILL 1542

5 By: Representative Wooten  
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## For An Act To Be Entitled

9 AN ACT CONCERNING PRIVATE SCHOOLS; TO REQUIRE PRIVATE  
10 SCHOOLS TO ADMINISTER AN ANNUAL STATEWIDE STUDENT  
11 ASSESSMENT; TO REQUIRE PRIVATE SCHOOLS TO ADMIT EACH  
12 STUDENT WHO APPLIES FOR ADMISSION AND INTENDS TO USE  
13 STATE FUNDING TO COVER THE COSTS ASSOCIATED WITH  
14 ADMITTANCE AND ATTENDANCE AT THE PRIVATE SCHOOL; AND  
15 FOR OTHER PURPOSES.  
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## Subtitle

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19 TO REQUIRE PRIVATE SCHOOLS TO ADMINISTER  
20 AN ANNUAL STATEWIDE STUDENT ASSESSMENT;  
21 AND TO REQUIRE PRIVATE SCHOOLS TO ADMIT  
22 EACH STUDENT WHO APPLIES FOR ADMISSION  
23 AND INTENDS TO COVER PRIVATE SCHOOL  
24 COSTS WITH STATE FUNDING.  
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code § 6-15-2006(a)(1)(B), concerning an annual  
29 reporting of a student's statewide assessment test results, is amended to  
30 read as follows:

31 (B) The A private school, as defined in § 6-15-2907, and a  
32 school district board of directors shall report to the parent, guardian, or  
33 the student, if the student is eighteen (18) years of age or older, the  
34 student's results on each statewide assessment test.  
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36 SECTION 2. Arkansas Code § 6-15-2907(a), concerning the implementation



1 of a statewide student assessment system, is amended to read as follows:

2 (a)(1) The Division of Elementary and Secondary Education shall  
3 implement a statewide student assessment system to be administered by  
4 Arkansas public schools and private schools on a schedule determined by the  
5 State Board of Education that includes the following components:

6 ~~(1)(A)~~ Developmentally appropriate measurements or assessments  
7 for kindergarten through grade two (K-2) in literacy and mathematics;

8 ~~(2)(A)(B)(i)~~ High-quality, evidence-based literacy screeners for  
9 kindergarten through grade three (K-3).

10 ~~(B)(i)(ii)(a)~~ The division shall identify the  
11 literacy screeners required under ~~subdivision (a)(2)(A)~~ subdivision  
12 (a)(1)(B)(i) of this section, which shall meet the requirements of § 6-41-603  
13 and may be the same screener used for dyslexia screening.

14 ~~(ii)(b)~~ The literacy screeners required under  
15 ~~subdivision (a)(2)(A)~~ subdivision (a)(1)(B)(i) of this section shall be  
16 utilized to determine student progression in reading in kindergarten through  
17 grade three (K-3) and shall be:

18 ~~(a)(1)~~ Given during the first thirty  
19 (30) days of the school year;

20 ~~(b)(2)~~ Repeated, if indicated, midyear;  
21 and

22 ~~(c)(3)~~ Given at the end of the school  
23 year.

24 ~~(iii)(c)~~ The division shall collect and publish  
25 aggregated public school district, open-enrollment public charter school, and  
26 overall state literacy assessment results annually by October 1;

27 ~~(3)(C)~~ Assessments to measure English language arts,  
28 mathematics, and science as identified by the state board;

29 ~~(4)(D)~~ Assessments of English proficiency of all English  
30 learners; and

31 ~~(5)(A)(E)(i)~~ Assessments to measure college and career  
32 readiness.

33 ~~(B)(i)(ii)(a)~~ A public school or private school that  
34 serves a student in grades ten through twelve (10-12) shall administer  
35 college and career readiness assessments, including a career readiness  
36 assessment that leads to a nationally recognized work readiness certificate,

1 as determined by the state board to each student before he or she graduates  
2 from high school.

3 ~~(ii)(b)~~ A career readiness assessment under  
4 ~~subdivision (a)(5)(B)(i)~~ subdivision (a)(1)(E)(ii)(a) of this section may  
5 include without limitation the ACT WorkKeys National Career Readiness  
6 Certificate (NCRC).

7 ~~(C)(i)(iii)(a)~~ Public school districts may offer  
8 additional college and career readiness assessments for students in grades  
9 ten through twelve (10-12) at no cost to the student by using public school  
10 district funding, including without limitation Enhanced Student Achievement  
11 Funding under § 6-20-2305.

12 ~~(ii)(b)~~ A Platinum, Gold, Silver, or Bronze  
13 credential through the ACT WorkKeys National Career Readiness Certificate  
14 (NCRC) shall be used by an institution of higher education as transcribable  
15 credit toward the attainment of a postsecondary technical degree.

16 (2) However, any costs associated with the administration of a  
17 statewide student assessment system by a private school shall be entirely  
18 covered by the private school.

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20 SECTION 3. Arkansas Code § 6-15-2907(d)-(f), concerning requirements  
21 regarding the statewide student assessment system, are amended to read as  
22 follows:

23 (d) A public school district or private school, at its own expense,  
24 may assess the academic achievement and growth of students by other means in  
25 addition to the required statewide student assessment system.

26 (e) All students enrolled in a public school district or private  
27 school shall participate in the statewide student assessment system.

28 (f) Public school district boards of directors and private schools  
29 shall not establish school calendars that limit or interfere with student  
30 participation in the statewide student assessment system.

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32 SECTION 4. Arkansas Code § 6-15-2907(h), concerning requirements  
33 regarding the statewide student assessment system, is amended to read as  
34 follows:

35 (h) The division shall provide for statewide student assessments that  
36 are:

- 1 (1) Valid and reliable;
- 2 (2) Obtained or developed, as appropriate, through contracts and  
3 project agreements;
- 4 (3) Aligned to the Arkansas academic standards; and
- 5 (4) Scored and returned for public school, ~~and~~ public school  
6 district, and private school use by August 1 of each year.

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8 SECTION 5. Arkansas Code § 6-15-2907(i)(1), concerning statewide  
9 student assessment system security and confidentiality, is amended to read as  
10 follows:

11 (i)(1) Public schools, public school districts, private schools, and  
12 educators shall maintain assessment security and confidentiality.

13

14 SECTION 6. Arkansas Code § 6-15-2907(i)(3), concerning breach of  
15 security and confidentiality requirements for the statewide student  
16 assessment system, is amended to read as follows:

17 (3) A violation by a public school, a public school district, a  
18 private school, or an educator of the security or confidential integrity of  
19 any test or assessment may result in action by the state board under §§ 6-17-  
20 410 and 6-17-428 or under the rules promulgated by the state board to  
21 implement this subchapter.

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23 SECTION 7. Arkansas Code § 6-15-2907(1), concerning the analysis and  
24 reporting of student performance data, is amended to read as follows:

25 (1) Public school districts and private schools shall analyze and  
26 report student performance data to students, parents, and the community, if  
27 the disclosures are not in conflict with applicable federal law and state  
28 law.

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30 SECTION 8. Arkansas Code § 6-15-2907, concerning the implementation of  
31 a statewide student assessment system, is amended to add an additional  
32 subsection to read as follows:

33 (m) As used in this section, "private school" means a nonpublic school  
34 that:

35 (1) Offers instruction for students in kindergarten through  
36 grade twelve (K-12) in this state; and

1           (2) Receives any type of state funding in any amount.

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3           SECTION 9. Arkansas Code § 6-15-2909(a), concerning dissemination of  
4 personally identifiable information with regard to the public availability of  
5 test instruments and scores, is amended to read as follows:

6           (a) Any material containing the personally identifiable information,  
7 including without limitation identifiable scores, of individual students on  
8 any test taken under the provisions of this subchapter shall not be:

9           (1) Considered a public record within the meaning of the Freedom  
10 of Information Act of 1967, § 25-19-101 et seq.; or

11           (2) Disseminated or otherwise made available to the public by a  
12 member of the State Board of Education, an employee of the Division of  
13 Elementary and Secondary Education, a member of the board of directors of a  
14 school district, an employee of a school district, an administrator or  
15 employee of a private school, or any other person, except as permitted under  
16 the provisions of the Family Educational Rights and Privacy Act of 1974, 20  
17 U.S.C. § 1232g, as it existed on January 1, 2017.

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19           SECTION 10. Arkansas Code Title 6, Chapter 18, Subchapter 2, is  
20 amended to add an additional section to read as follows:

21           6-18-237. Private school – Admittance requirements.

22           (a)(1) A private school shall admit each student who:

23           (A) Applies for admission to the private school; and

24           (B) Intends to use state funds to cover the costs associated  
25 with admittance and attendance at the private school.

26           (2)(A) A private school that accepts state funds may claim a  
27 lack of capacity to admit a student who applies for admission to the private  
28 school only if the private school has reached the maximum student-to-teacher  
29 ratio permitted under federal law or other applicable state or federal rules.

30           (B) On or before May 31, a private school that accepts  
31 state funds shall submit to the Division of Elementary and Secondary  
32 Education a report detailing its capacity for the upcoming school year.

33           (b) As used in this section, "state funds" means without limitation  
34 the use of any form of state funds awarded to a student, including without  
35 limitation state funds awarded to a student under the following programs:

36           (1) The Philanthropic Investment in Arkansas Kids Program Act, §

1 6-18-2301 et seq.; and

2 (2) The Arkansas Children's Educational Freedom Account Program,

3 § 6-18-2501 et seq.

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