State of Arkansas *As Engrossed: H12/19/03 H1/27/04 S2/2/04* Call Item 4
84th General Assembly

A Bill

Second Extraordinary Session, 2003 HOUSE BILL 1056

By: Representatives C. Johnson, *Chesterfield, Clemons, Dobbins, Eason, Elliott, Green, Jones, Thomas, White, House*
By: Senators Wilkins, Steele

For An Act To Be Entitled

AN ACT TO CREATE THE *DIVISION* OF EDUCATION RENEWAL ZONES; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO CREATE THE *DIVISION* OF EDUCATION RENEWAL ZONES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Creation of the Division of Education Renewal Zones.

(a) There is created a Division of Education Renewal Zones.

(b) The division shall be under the supervision of the State Board of Education.

(c)(1) The state board shall select an individual to serve as the Director of the Division of Education Renewal Zones.

(2) The Director of the Division of Education Renewal Zones, with guidance and approval from the board, shall be responsible for hiring all employees of the division.

(3) The Director of the Arkansas Department of Higher Education shall assign one (1) individual from the staff of the Department of Higher Education to serve as a liaison to the division.

(d) The division shall be responsible for developing guidelines for the approval of education renewal zone strategic plans and guidelines for the evaluation and reporting of education renewal zone activities.

(e) The division shall approve any education renewal zone strategic

plan prior to the disbursal or annual renewal of funds to participating institutions of higher education.

(f)(1) Effective July 1, 2004, any public school, education service cooperative and institution of higher education is authorized to enter into one (1) or more inter-local agreements through which they collaborate to improve public school performance and academic achievement.

(2) Each inter-local agreement shall establish an education renewal zone.

(3) The purpose of an education renewal zone shall be to:

(A) Identify and implement education and management strategies designed specifically to improve public school performance and student academic achievement throughout the State of Arkansas, with special focus on the state's most academically distressed public schools;

(B) Provide for collaboration among the state's smaller schools and districts in order to achieve some of the advantages of economies of scale in providing educational and related activities;

(C) Maximize benefits and outcomes of public schooling by concentrating and coordinating the resources of Arkansas' higher education institutions, the expertise of the regional education service cooperatives, and the technical assistance of other service providers to improve public school performance and student academic achievement; and

(D) Enable small, rural, and low-wealth schools to make the best use of the latest cost-effective distance learning technology to enhance curricula and professional development through two-way interactive learning environments.

(g) Each education renewal zone shall consist of the following:

(1)(A) A higher education partner.

(B) The division shall develop, publish and disseminate guidelines for establishing an education renewal zone, including a process for selecting a qualified higher education partner in the service cooperative areas in the state and in Pulaski County.

(C)(i) A qualified higher education partner shall:

(a) Be a school with a department of education or a comprehensive four-year teacher preparation program; and

(b) Be capable of demonstrating a willingness and flexibility to restructure its programs and services to meet the needs of

the participating grades kindergarten through twelve (K-12) schools and school districts.

(ii) The division shall give preference to qualified four-year higher education institutions located within the education service cooperative area.

(D) If there is no qualified four-year higher education institution located within the education service cooperative area, the division may select:

(i) A two-year higher education institution that, in collaboration with a qualified four-year educational institution located in another education service cooperative area, provides a comprehensive four-year teacher preparation program; or

(ii) A qualified higher education institution located in another education service cooperative area.

(E) An institution of higher education may serve as the higher education partner for more than one educational service cooperative area;

(2)(A) An Education Service Cooperative.

(B) The education service cooperative shall be a full partner in planning, implementing, and evaluating the education renewal zone in its respective service area and shall provide direct services as called for in the education renewal zone plan;

(3)(A) Public Schools.

(B)(i) Public schools may participate in an education renewal zone the upon successful application by the public school district of which the school is a part.

(ii) Public schools designated by the Department of Education as a school in school improvement or a school in a school district designated by the department as being in academic distress shall participate in an education renewal zone, if requested to do so by the department and the division working with the department shall establish priorities of establishing education renewal zones for those schools, which shall be contingent on the appropriation a availability of funding for the renewal zones.

(iii) Acceptance or rejection of the application by a school for admittance to an education renewal zone shall be the

responsibility of the division, with consultation from the higher education partner.

(iv) The division may include within an education renewal zone any school within the education service cooperative area provided that no more than ten (10) schools may participate in any single education renewal zone.

(v) The division may designate up to a maximum of three (3) education renewal zones within any single education service cooperative area.

(C) In designating education renewal zones and selecting schools for participation in a particular zone, the division shall give priority to schools that meet one or more of the following criteria:

(i) The school is classified as a school in school improvement or alert status for school improvement under the Arkansas state compliance plan under the federal No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq.;

(ii) The school lies within a school district designated by the Department of Education as in academic distress or financial distress under the Arkansas Comprehensive Testing, Assessment, and Accountability Program;

(iii) The school demonstrates an inability to hire and retain highly qualified teachers as defined by the state plan for compliance with the federal No Child Left Behind Act of 2001, 20 U.S.C.S. § 6301 et seq.;

(iv) The school demonstrates an inability to provide the minimum number of course offerings as determined by the state through the conventional hiring of qualified teachers;

(v) The school is within a school district with an average daily membership of fewer than one thousand five hundred (1,500) students; or

(vi) The school serves a student population that exceeds the statewide average rate of participation in free or reduced price lunch programs.

(4)(A) A Local Advisory Group.

(B) Each education renewal zone shall form a local advisory group comprised of a representative of the following groups:

1 *(i) The higher education partner*
2 *(ii) The education service cooperative which*
3 *includes the area in which the education renewal zone is located;*
4 *(iii) The public school or school district*
5 *participating in the education renewal zone;*
6 *(iv) Two (2) parents who have children attending a*
7 *public school participating in the education renewal zone; and*
8 *(v) Each community in which there is a school*
9 *participating in the education renewal zone.*
10 *(C) The division may designate up to a maximum of three*
11 *(3) education renewal zones within any single education service cooperative*
12 *area.*
13 *(D) The membership and staff of local advisory groups*
14 *shall be reflective of the diversity of the population being served by the*
15 *education renewal zone.*
16 *(5)(A) A Technical Assistance Provider.*
17 *(B) Any two-year community or technical college, technical*
18 *support organization, or other entity may participate in the education*
19 *renewal zone at the discretion of the division and in collaboration with a*
20 *designated higher education partner and a designated education service*
21 *cooperative.*
22 *(h) The division, the state board, and the local school districts*
23 *shall exercise due diligence to assure that all schools classified as a*
24 *school in school improvement under the federal No Child Left Behind Act of*
25 *2001, 20 U.S.C. § 6301 et seq., as in existence on December 1, 2003, are*
26 *included in a designated education renewal zone.*
27 *(i) The division may, at its discretion, include any school regardless*
28 *of its eligibility under the criteria in subdivisions (g)(3)(C)(i) through*
29 *(vi) of this section, if it determines that on the basis of location,*
30 *characteristics of its faculty or leadership, needs of the students, or other*
31 *factors, that the inclusion of such school significantly strengthens the*
32 *prospect of the education renewal zone in meeting its school improvement*
33 *goals.*
34 *(j) The division may, at its discretion, change participating schools*
35 *within each education renewal zone.*
36 *(k)(1) Each school participating in an education renewal zone shall*

1 develop and implement a school improvement plan.
2 (2) Each school improvement plan shall at a minimum include the
3 following:
4 (A) Goals for improving student achievement;
5 (B) Measurable benchmarks for achieving student
6 improvement goals;
7 (C) A timeline for reaching goals in improving student
8 achievement; and
9 (D) Requirements for services to be provided by the
10 Education Renewal Zone Partners.
11 (l) The partners within a specific education renewal zone shall
12 develop a strategic plan that is responsive to the needs of the individual
13 school improvement plans.
14 (m) The education renewal zone strategic plan shall at a minimum
15 provide for the following:
16 (A) Collaboration between and among the higher education
17 institution partners, education service cooperatives, schools, and
18 communities participating in the education renewal zone, including within the
19 academic departments within the higher education institution partners;
20 (B)(1) A comprehensive program of professional development
21 to assure the practical knowledge base of pre-service and in-service teachers
22 with respect to pedagogical practice, content knowledge, and competent use of
23 distance learning technology;
24 (2) Funds received by school districts for the
25 Department of Education Public School Fund Account for professional
26 development may be used to provide funding for the professional development
27 requirements of the education renewal zone school district partners.
28 (C) Enhancement and expansion of local school curricula
29 offerings through the use of two-way interactive television to include
30 advanced placement, dual-credit, and advanced high school courses;
31 (D) The sharing of faculty for core course offerings when
32 schools are unable to hire highly-qualified teachers in core subject areas
33 required for college entrance or teachers necessary to meet state
34 accreditation standards;
35 (E) A strategy to recruit and retain highly-qualified
36 teachers with particular focus on hard-to-staff schools;

(F) A system for mentoring teachers with three (3) or fewer years of professional service;

(G) Active participation of the community in the work of the school;

(H) Active involvement of parents in the academic work of the student; and

(I) A means of collecting the data necessary to evaluate the progress of each participating public school and the education renewal zone in its entirety.

(n) Each education renewal zone, using guidelines and indicators set by the division, shall prepare an annual report to the division describing the progress toward accomplishing the goals of the education renewal zone.

(o) The division shall prepare an annual report to the Governor, the General Assembly, and the State Board of Education describing the progress toward accomplishing the goals of the individual education renewal zones and the overall education renewal zone program.

(p) The division shall establish a website, accessible by the public, to provide for broad dissemination of both the education renewal zone plans and strategies and the results of the annual reports on progress toward accomplishing the goals of the individual education renewal zones and the overall education renewal zone program.

(q) The provisions of this section shall be contingent on the appropriation and availability of funding for the program.

EMERGENCY CLAUSE FAILED TO PASS

~~*SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Supreme Court in Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002), declared the current system of education to be unconstitutional because it is both inequitable and inadequate; and the Arkansas Supreme Court set forth the test for a constitutional system to be one in which the state has an "absolute duty" to provide an "equal opportunity to an adequate education"; the Arkansas Supreme Court instructed the General Assembly to undertake actions as necessary to provide an opportunity for an adequate and equitable education for the children of Arkansas; and the provisions of this bill are necessary steps toward accomplishing that goal. Therefore, an emergency is declared to exist and this act being immediately necessary for the*~~

~~*preservation of the public peace, health, and safety shall become effective on:*~~

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

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

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

/s/ C. Johnson

APPROVED: 2/10/2004