

West's Arkansas Code Annotated
Title 6. Education (Refs & Annos)
Subtitle 2. Elementary and Secondary Education Generally (Chapters 10 to 39)
Chapter 15. Educational Standards and Quality Generally
Subchapter 29. Arkansas Educational Support and Accountability Act (Refs & Annos)

A.C.A. § 6-15-2916

§ 6-15-2916. State Board of Education authority over a public
school district classified as in need of Level 5--Intensive support

Effective: April 19, 2021

[Currentness](#)

If a public school district is classified as in need of Level 5 -- Intensive support, the State Board of Education may:

- (1) Direct the Commissioner of Elementary and Secondary Education to conduct an analysis of all school district systems and make recommendations for action by the state board; and
- (2) Assume authority of the public school district and take one (1) or more of the following actions at any time after classification:
 - (A) Remove permanently, reassign, or suspend on a temporary basis the superintendent of the school district and:
 - (i) Appoint an individual in place of the superintendent of the public school district to administratively operate the public school district under the supervision and approval of the commissioner;
 - (ii) Authorize the individual to remove, replace, reassign, or suspend public school district personnel in accordance with state law; and
 - (iii) Compensate from public school district funds the individual appointed to operate the public school district and other individuals authorized by the commissioner;
 - (B) Remove permanently or suspend on a temporary basis some or all of the current public school district board of directors and either:
 - (i) Call for the election of a new public school district board of directors, in which case the public school district shall reimburse the county board of election commissioners for election costs as otherwise required by law;

- (ii) Require the public school district to operate without a board of directors under the supervision of the superintendent of the public school district or an individual or panel appointed by the commissioner; or
 - (iii) Direct the commissioner to assume some or all authority of the public school district board of directors as may be necessary to operate the public school district;
- (C)(i) Remove on a temporary basis some or all of the powers and duties granted to the current public school district board of directors under § 6-13-620 or any other law but allow the public school district board of directors to continue to operate under the direction and approval of the commissioner.
- (ii) The state board shall define the powers and duties of the public school district board of directors.
 - (iii) The public school district board of directors shall act in an advisory capacity to the commissioner regarding all other powers and duties maintained by the commissioner;
- (D) Require the annexation, consolidation, or reconstitution of the public school district under § 6-13-1401 et seq. and this subchapter;
- (E) Waive provisions of Title 6 and corresponding rules of the state board with the exception of:
- (i) Special education programs as provided by this title;
 - (ii) Conducting criminal background checks for employees as provided in this title; and
 - (iii) Health and safety codes as established by the state board and local governmental entities;
- (F) Require reassignment of some or all of the administrative, instructional, or support staff of a public school;
- (G) Require a public school to institute and fully implement a student curriculum based on academic standards;
- (H) Require a public school to provide professional development for teachers and administrators based on the Division of Elementary and Secondary Education's review of educators' professional growth plans with the cost to be paid by the public school district in which the public school is located;
- (I) Remove one (1) or more public schools from the jurisdiction of the classified school district and establish alternative public governance and supervision of the public school;
- (J) Require reorganization, closure, or dissolution of one (1) or more of the public schools within the classified district; and

(K) Take any other necessary and proper action, as determined by the state board that is allowed by law.

(L) Require a structured system of whole child supports through a community school plan, as defined by § 6-15-3002.

Credits


Acts of 2017, Act 930, § 2, eff. Aug. 1, 2017; Acts of 2019, Act 910, § 1308, eff. July 1, 2019; Acts of 2021, Act 744, § 2, eff. April 19, 2021.

A.C.A. § 6-15-2916, AR ST § 6-15-2916

The constitution and statutes are current through laws passed by the 2021 Regular Session of the 93rd Arkansas General Assembly effective through July 1, 2021, and changes made by the Arkansas Code Revision Commission received through June 1, 2021.

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Proposed Legislation

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A.C.A. § 6-15-2917

§ 6-15-2917. Public school district under authority of the State Board of Education

Effective: July 1, 2019

[Currentness](#)

(a) For a public school district under the authority of the State Board of Education, the state board shall review quarterly the progress of the public school district toward improving the issues that caused the classification of the public school district as in need of Level 5 -- Intensive support.

(b) At any time during the second full school year following the assumption of authority or any time thereafter:

(1) The state board may direct the Commissioner of Elementary and Secondary Education to update the analysis of all school district systems to determine if the public school district has demonstrated substantial improvement of the issues that caused the classification of the public school district as in need of Level 5 -- Intensive support;

(2) The commissioner may recommend to the state board that the state board:

(A) Take additional action concerning the public school district under [§ 6-15-2916](#); or

(B) Return the public school district to local control through the appointment or election of a board of directors; and

(3)(A) The state board may return the public school district to local control through the appointment or election of a newly elected board of directors upon the recommendation of the commissioner.

(B) The state board may limit the powers and duties of the public school district board of directors under [§ 6-13-620](#) or any other law but allow the public school district board of directors to operate under the direction and approval of the commissioner.

(C) The state board shall define the powers and duties of the public school district board of directors if the state board limits the powers and duties under subdivision (b)(3)(B) of this section.

(D) The public school district board of directors shall act in an advisory capacity to the commissioner in regards to all other powers and duties maintained by the commissioner.

(E) The state board may grant additional powers and duties to the public school district board of directors if the public school district demonstrates progress toward improving the issues that caused the classification of the public school district as in need of Level 5 -- Intensive support.

(c)(1) If the public school district has not demonstrated to the state board and the Division of Elementary and Secondary Education that the public school district meets the criteria to exit Level 5 -- Intensive support within five (5) years of the assumption of authority, the state board shall annex, consolidate, or reconstitute the public school district under [§ 6-13-1401 et seq.](#) and this subchapter.

(2) The state board shall promulgate rules to establish the criteria by which a public school district may exit Level 5 -- Intensive support.

Credits

[Acts of 2017, Act 930, § 2, eff. Aug. 1, 2017](#); [Acts of 2019, Act 910, § 1309, eff. July 1, 2019](#).

A.C.A. § 6-15-2917, AR ST § 6-15-2917

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