



Arkansas LEARNS

A Section-by-Section Summary

With many narratives around the LEARNS Act floating around, it can be hard to tell between fact and fiction. And understandably, most Arkansas families are not going to have the time to sit down and read all 144 pages of the legislation. In this report, we have summarized the most relevant sections of the LEARNS Act for you, stripping as much narrative out of the way as possible, so that you can truly know what this legislation means for you and your family as well as our communities across the state of Arkansas.

Section 2: Training for School Resource Officers (pg. 1-3)

This section outlines the training that school resource officers must complete. It replaces the requirement for the “Youth Mental Health First Aid Training” certification with the requirement to attend a youth mental health training as required by the State Board of Education.

Section 3: Powers and duties of the State Board of Education (pg. 3)

This section adds the administration of the early education system to the duties of the State Board of Education. The Board will do this specifically by administering funding and licensing requirements, improvements, and reducing the burden on families.

Section 8: Assessment of school safety (pg. 7-13)

Rather than an audit every three years, this section requires an assessment of school safety every three years. In addition to local law enforcement, this section adds medical professionals and the fire department to the list of required attendees of these assessments. The schools must also be assessed in their anti-human trafficking efforts in addition to the current requirements.

This section adds that school districts and open enrollment charters should be reviewed by experts on their architectural plans before building a new school. The requirements of these experts will be set by the Commission for Arkansas Public School Academic Facilities and Transportation. The Arkansas Department of Education (ADE) will be required to work with the Readiness and Emergency Management for Schools Technical Assistance Center, as well as the National Training and Technical Assistance Center to develop school safety plans and make crisis training available to schools. The section also adds training requirements for health emergencies, especially including drug overdoses and bleeding control.

Direct communication will be established with law enforcement via radios with law enforcement frequency, emergency alert systems, camera systems that can be accessed live, and cybersecurity review.

[Click here to see the full wording of any of these sections.](#)

Section 11: Amending the statewide student assessment system (pg. 13-14)

This section requires the Division of Elementary and Secondary Education (DESE) to assess students K-3 with a high quality literacy screener to determine literacy progression. This assessment can be repeated mid-year and again at the end of the year. DESE will then collect and aggregate the data for publication each October.

Section 12: Developing a student success plan (pg. 14-16)

This section adds more specificity to the development of a student success plan. Each plan should: 1) Guide the student along pathways to graduation. 2) Address accelerated learning opportunities. 3) Address academic deficits and interventions. 4) Include college and career planning components.

Parents and/or guardians must give written approval for each plan, and each subsequent plan if they are changed. Any changes made to these plans should still allow the student to graduate, enter a post-secondary school, or qualify them for work after graduation.

Each plan should be reviewed annually and be signed by the student, the student's parent or guardian, and the school counselor. If a plan is revised, the counselor must meet with the parents to discuss the implications of the change, and the changes require the approval of the parent or guardian.

[Click here to see the full wording of any of these sections.](#)

Section 14: School eligibility for transformation to charter (pg. 17-20)

A school with a D or F rating, or one in need of intensive support, will be able to contract with either an open enrollment charter school or the State Board of Education to take over the operations of the school; this process is now referred to as school transformation.

The district can enter a contract if the entity that the district would like to contract with has been approved by the State Board and is in good standing. Good standing means that the contracting charter school has never had its own charter revoked by the State of Arkansas, it has performed at a C or higher in the three years preceding the contract, and it passed an audit.

The contract must address student enrollment eligibility. A student living in the zone that the charter will serve should be admitted. For those not in the district, the order of preference for enrollment will first be for other students in the district at large, and then for students who do not live in the district.

The state board will establish a protocol for the commissioner to be notified by the school of the contract. The term commissioner is often used to refer to the Arkansas Secretary of Education, who is also the ADE DESE commissioner. The commissioner will then notify a public school district if the contract is approved no more than 60 days after the notification.

This section also lists incentives for transformation. DESE will incentivize charters to contract with schools that are eligible. While a public school is undergoing transformation, the State of Arkansas cannot not impose a sanction or action against the public school transformation campus for failure to satisfy academic performance standards. DESE may provide, through state and federal funds, financial incentives to support transformations.

[Click here to see the full wording of any of these sections.](#)

Section 16: Indoctrination and Critical Race Theory (pg. 20-23)

This section prohibits indoctrination and the teaching of critical race theory (CRT), as well as the encouragement or discussion of gender-related issues. This section describes CRT as conflicting with the principle of equal protection under the law and actually encouraging discrimination. It does require that all school district employees, teachers, and visitors comply with the Civil Rights Act, and this section states that historical discussions, or relevant public policy issue discussions are not prohibited.

Also in this section is new language about human trafficking prevention. It states that DESE should create curriculum materials that teach about the detection and prevention of human trafficking and child sexual abuse.

Lastly, teachers are prohibited from discussing sexually explicit materials, sex, gender identity, or sexual orientation with students who are below 5th grade.

Section 19: Creates new community service requirement for high schoolers (pg. 38-39)

Starting with the 2026-2027 graduating class, public high school students will have to complete a minimum of 75 hours of community service from grades 9 through 12 with a certified service agency or organization. The programs can be inside or outside of Arkansas, but they have to meet the requirements laid out by the State Board of Education and have to include preparation, action, and reflection components. The minimum number of hours to be completed for each grade level are as follows: 15 hours in grade 9, 20 hours in grade 10, 20 hours in grade 11, and 20 hours in grade 12. There are waivers available for extenuating circumstances, like a major illness for the student or a family member, homelessness or housing insecurity, or if the student is a major contributor to the family's income.

[Click here to see the full wording of any of these sections.](#)

Section 21: Establishes paid maternity leave of 12 weeks for school personnel (pg. 39-41)

This section establishes 12 weeks of paid maternity leave for school personnel. School personnel is defined as an individual employed full-time by a public school district or open-enrollment public charter school in Arkansas for more than one year. This includes the birth of a biological child or an adoption placement. DESE will create a cost-sharing system to achieve this.

Section 29: Improving literacy (pg. 46-55)

This section concerns the Right to Read Act. It states that beginning in the 2023-2024 school year, every school that has a D or F rating needs to have access to literacy coaches to support increased literacy rates for students kindergarten through 3rd grade through coaching for teachers and administrators. DESE shall provide, train, and assign these literacy coaches, and the coaches should understand the following: expertise in both pedagogy, meaning the method and practice of teaching, and the science of reading; evidence of success in coaching and classroom instruction; an understanding of learning disabilities in reading; and an understanding of the Individuals with Disabilities Education Act. These literacy coaches will also be responsible for utilizing evidence-based instruction and practices to coach educators. This is subject to legislative appropriation, meaning that this section of the bill is not valid and will not be implemented until this part of the bill is appropriated, or funded, by the legislature. This is a common scenario and in this case the legislature is expected to appropriate this measure.

This section also sets up a literacy tutoring grant program that will provide supplemental educational services for eligible students. Parents must be notified that their student meets the criteria (because they don't meet the reading standard) and given detailed instructions on how to apply. The grant will provide \$500 per eligible student on a first-come, first-served basis.

[Click here to see the full wording of any of these sections.](#)

Section 29: Improving literacy (pg. 46-55), Ctd.

Students kindergarten through 3rd grade who are not meeting the reading standard or who are at risk of not meeting the standard will also receive an individual reading plan. This plan will outline the specific diagnosed reading skill needs, set goals and benchmarks, determine how progress will be monitored, and note the type of additional interventions the student may receive.

By the 2025-2026 school year, if a public-school student has not met the third grade reading standard, and the student doesn't have a good-cause exemption, then the student cannot move up to fourth grade. A good-cause exemption is only an option for the following students: students with limited English proficiency who've had less than 3 years in an English as a Second Language (ESL) program; students with a disability who are not eligible for the alternate assessment and who have an Individualized Education Program (IEP); a student who has received an intensive literacy intervention program for more than 2 years; or a student who is still demonstrating a need in reading proficiency who was also already held back in a previous grade. An IEP describes a student's goals and the special services and accommodations the student will get to meet their unique educational needs. It is a legal contract between student's parent or guardian and the school, and the student's parent or guardian should be a part of the team that puts together a student's IEP. These are only required by federal law in public school settings.

Section 31: Repeals incentive for teacher recruitment and retention in high priority districts (pg. 56-59)

This section repeals a previous section of code that provided incentives for teacher recruitment and retention into high priority districts. A "high priority district" was previously defined as a district with 80 percent (or more) of its students qualifying for free or reduced lunches. These districts were often able to offer a new teacher bonus or retention bonuses for educators because of this incentive.

[Click here to see the full wording of any of these sections.](#)

Section 33: Repeals the Teacher Fair Dismissal Act of 1983 (pg. 59-68)

This section repeals the TeacherFair Dismissal Act of 1983. The Teacher Fair Dismissal Act of 1983 said that non-renewal, termination, or suspension of a teacher requires “just and reasonable cause.” Teachers were also entitled to a hearing with the school board any time they received the required notice that they were being recommended for termination or non-renewal.

Section 35: Creates minimum compensation for teachers at \$50,000 (pg. 70-76)

This section establishes a minimum base salary for educators at \$50,000. For the upcoming school year 2023-2024, teachers should be paid a salary that is at least \$2,000 above their current salary. This does not include part-time teachers. This requirement may be waived by the State Board if it would cause the school to fall into fiscal distress. Additionally, public school districts are now in control of creating their own salary schedules. A salary schedule refers to the minimum levels of compensation for teachers based on their years of experience and education level, and generally results in teachers earning modest salary increases each year as they gain experience.

Section 37: Creates the Merit Teacher Incentive Fund Program (pg. 77-79)

This section creates the Merit Teacher Incentive Fund Program. An eligible teacher will receive no more than \$10,000 in annual bonuses. The state board will create rewards regarding eligibility and timelines. Eligible teachers would be those who demonstrate growth in student performance based on test scores and other items the State Board will decide on. Teachers serving as mentors for aspiring teachers will be eligible, as well as teachers in residencies and those serving in areas with teacher shortages. DESE will publish a report on the program annually with the bonuses and workforce outlook.

[Click here to see the full wording of any of these sections.](#)

Section 38: Deletes max capacity on school choice transfers (pg. 79)

This section states that the State Board should not set a maximum number of school choice transfers into or from public school districts, unless it is required under a court-ordered desegregation plan.

Section 42: Educational freedom account program (pg. 82-100)

This section creates what are known as Educational Freedom Accounts. These accounts act similarly to health savings accounts or dependent care savings accounts. Families can use the funds added to their accounts by the state for qualifying expenses like private school tuition, fees, testing, school uniforms, or supplies and equipment (including certain technology). Qualifying expenses can also apply to home school families and can be used for instructional or tutoring services, curriculum, supplemental materials, and fees (for things like testing and course work). These accounts are subject to audit.

The amount placed in each account by the state will be equal to 90% of the prior year's statewide foundation funding amount per student and will be deposited quarterly for participating families. School districts are guaranteed a certain amount of funding per student that comes from state aid and property taxes. The amount increases each year and is determined based on an adequacy study completed by the House and Senate Education Committees. For the 2022-23 school year, this "foundation funding" was \$7,413 per student. Meaning that for the 2023-2024 school year, up to \$6,672 is available to be placed in the Education Freedom Account of a qualifying student.

Any unused funds will roll over from quarter to quarter and from year to year, until the student graduates or turns 21. These funds also do not count as taxable income (at both the state and federal level) for the parent or student and therefore cannot be claimed as a credit or deduction.

To administer this program, the state may contract with an outside vendor or provider to manage the payment system and withhold up to 5% of the funds allocated for each account annually to pay for the administration of the program.

[Click here to see the full wording of any of these sections.](#)

Section 42: Educational freedom account program (pg. 82-100), Ctd.

In the first year of the program, only students with disabilities, students who are homeless, students in the foster care system, students served under the Succeed Scholarship Program, students from active-duty military families, students enrolled in the previous year in a school that had an F rating/Level 5, or students enrolling in kindergarten for the first time are eligible to apply. During the second year, eligibility increases, and by the third year all Arkansas families are eligible.

If after the third year, state funds are insufficient to fund all applications for the program, priority goes to families who meet the qualifications during the very first year of the program (and are listed above).

Private schools are eligible to participate in the program if they have either met accreditation requirements set by the state board of education, the Arkansas nonpublic school accrediting association, or are associate members that have applied for their accreditation. To remain eligible, private schools must certify that they don't discriminate under the definition set by the U.S. federal code, remain academically accountable to a parent for meeting the educational needs of their student, and only employ teachers with at least a bachelor's degree or have equivalent documented experience.

Each participating school, including homeschools, must conduct an annual assessment approved by the State Board of Education. The assessment can be the one used by public schools, or it can be another State Board-approved and nationally recognized test that, at minimum, measures math and literacy.

By September 30 of each year, ADE must submit a written report that details the implementation of the Education Freedom Account program to the House and Senate Education Committees and Legislative Council. This report has to include the number of students participating in the program, a list of all the participating schools and service providers, collected test result data from student assessments, an analysis of the program's fiscal impact, retention rates for participating students, and results from a parent satisfaction survey.

[Click here to see the full wording of any of these sections.](#)

Section 44: Transportation modernization grant program (pg. 100-103)

This section establishes a grant process for school districts to improve transportation for their students. This includes expanding access for transportation, especially in rural and remote areas. DESE can retain five percent of appropriated funds for this grant. The distribution of money should be based on demand, innovative solutions, and location. One-quarter of recipients must be rural districts. The money can be used for transportation-sharing between districts, developing rideshare programs, improving efficiency, and addressing staffing shortages. Funding that is given to parents in lieu of grant money should be prioritized for children on free and reduced lunch and students from rural areas. There should be partnerships with school districts or early childhood education centers to ensure safety and efficiency in traveling to school.

Section 50: Providing public funding for facilities for charter schools (pg. 106-107)

This section establishes public funding for charter school facilities. A third party should administer this program. They will be appropriated by the General Assembly.

[Click here to see the full wording of any of these sections.](#)

Section 56: Modifies the State Teacher Education Program (pg. 121-122)

This section raises the loan forgiveness for teachers from \$3,000 a year to \$6,000 a year for three years.

Section 57: Creates the Arkansas Teacher Academy Scholarship Program Act (pg. 122-128)

This section creates the Arkansas Teacher Academy Scholarship Program Act. This will be an incentive for aspiring teachers who commit to teaching in public schools or in areas of need because of shortages. DESE shall develop promotion and track data related to this program. They will also handle the distribution of money related to this program. Eligible post-secondary institutions will provide scholarships for these students.

Section 58: Creating the Office of Early Childhood Education at ADE (pg. 128-135)

This section creates the Office of Early Childhood within ADE. This new office will oversee state funded preschool, the Child Care and Development Block Grant, and Arkansas Head Start, and any other programs formally under the Division of Child Care and Early Childhood Education at the Department of Human Services.

To help create a more unified system, the State Board of Education will competitively select and work with local early childhood organizations in communities throughout the state to support access to early childhood programs; identify gaps in services; foster partnerships; and create alignment among the public and private providers and agencies within the community that serve children and families by establishing a comprehensive and locally supported plan for providing early childhood programs and services within the community.”

[Click here to see the full wording of any of these sections.](#)