

ARKANSAS SENATE

88th General Assembly - Regular Session, 2011

Amendment Form

Subtitle of Senate Bill No. 81

TO IMPROVE THE EFFECTIVENESS OF PUBLIC SCHOOL ALTERNATIVE LEARNING
ENVIRONMENTS.

Amendment No. 1 to Senate Bill No. 81

Amend Senate Bill No. 81 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-15-202(38) and (39), concerning the Department of Education's review of the accreditation status of a school district, are amended to read as follows:

(39) ~~§ 6-18-508~~ § 6-48-101 et seq. concerning alternative learning environments;

(40) ~~§ 6-18-509~~ § 6-48-103 concerning assessment and intervention in alternative learning environments;

SECTION 2. Arkansas Code § 6-18-508 and § 6-18-509 are repealed.

~~6-18-508. Alternative learning environment.~~

~~(a) Every school district shall establish an alternative learning environment that shall afford students an environment conducive to learning.~~

~~(b) The alternative learning environment required by this section may be established by more than one (1) school district or may be operated by an education service cooperative established under The Education Service Cooperative Act of 1985, § 6-13-1001 et seq.~~

~~(c) The Department of Education shall establish criteria for teacher preparation for alternative learning environments, which shall include inservice training.~~



~~(d)(1)(A) Each school district shall report on a yearly basis to the department the race, gender, and other pertinent information regarding alternative learning environment attendees.~~

~~(B) This information shall be reported by the department to the Joint Interim Oversight Subcommittee on Educational Reform by September 15 of each year.~~

~~(2) The Arkansas Pygmalion Commission on Nontraditional Education will also report its findings by the same time each year to the same legislative body.~~

~~6-18-509. Assessment and intervention in alternative learning environments.~~

~~(a) As used in this section, "intervention services" means activities within or outside a school that will eliminate traditional barriers to learning.~~

~~(b) An Arkansas school district electing to operate an alternative class or school should provide for:~~

~~(1) Student assessment either before or upon entry into the class or school; and~~

~~(2) Intervention services designed to address the specific educational needs of individual students.~~

~~(c) A student assigned to an alternative class or school for behavioral reasons must receive intervention services designed to address the student's behavioral problems. Such intervention services shall not be punitive in nature but must be designed for long-term improvement of the student's ability to control his or her behavior.~~

~~(d) Along with its annual report to the Department of Education, a school district shall submit an assurance statement that it is in compliance with the establishment of an alternative learning environment.~~

~~(e) The department shall work with alternate classes and schools in assisting them in complying with the provisions of this section.~~

~~(f) The department shall periodically, but not less often than every three (3) years, monitor each school district or cooperative to ensure that alternative learning environments have been established, are conducive to learning, and are providing intervention services designed to address individual needs of students.~~

~~(g) A school district that does not comply with these provisions shall be identified each year in the department's annual school district report card.~~

SECTION 3. Arkansas Code § 6-20-2303(2), concerning the definition of alternative learning environments for the purpose of public school funding, is amended to read as follows:

~~(2)(A) "Alternative learning environment" means a student intervention program in compliance with §§ 6-18-508 and 6-18-509 § 6-48-101 et seq. that seeks to eliminate traditional barriers to learning for students.~~

~~(B) The State Board of Education shall promulgate rules that explicate not only which alternative learning environment programs shall qualify for funding, but also the characteristics of students who qualify for funding because they have been placed in an alternative learning environment program;~~

SECTION 4. Arkansas Code Title 6 is amended to add an additional chapter to read as follows:

Chapter 48

Alternative Learning Environments

6-48-101. Definitions.

As used in this chapter:

(1)(A)(i) "Alternative learning environment" means an alternate class or school that affords all students an environment that seeks to eliminate barriers to learning for students whose academic and social progress are negatively affected by the student's personal characteristics or situation.

(ii) The Department of Education shall by rule more fully define the student's personal characteristics and situations applicable under this chapter.

(B) An alternative learning environment is not a punitive environment but one that is conducive to learning; and

(2) "Intervention services" means activities within or outside a school that will eliminate traditional barriers to learning.

6-48-102. Alternative learning environment required -- Reporting.

(a)(1) A school district shall provide one (1) or more alternative learning environments for all students who meet the minimum criteria established by the Department of Education.

(2) A school district complies with this section if the school district provides an alternative learning environment by one (1) or more of the following methods:

(A) Establishes and operates an alternative learning environment;

(B) Cooperates with one (1) or more other school districts to establish and operate an alternative learning environment; or

(C) Uses an alternative learning environment operated by an education service cooperative established under The Education Service Cooperative Act of 1985, § 6-13-1001 et seq.

(b) Annually, a school district shall submit to the department:

(1) Information on race and gender of the students educated in the alternative learning environment;

(2) Any other information regarding students educated in alternative learning environments that the department requires by rule; and

(3) An assurance statement that the school district is in compliance with this chapter.

6-48-103. Assessment and intervention services.

(a) An alternative learning environment shall:

(1) Assess a student either before or upon entry into the alternative learning environment; and

(2) Provide intervention services designed to address a student's specific educational needs.

(b)(1) A student assigned to an alternative learning environment for behavioral reasons shall receive intervention services designed to address the student's behavioral needs.

(2) The intervention services shall not be punitive in nature but shall be designed for long-term improvement of the student's ability to control his or her behavior.

6-48-104. Department of Education responsibilities.

(a) The Department of Education shall promulgate rules to implement this chapter, including without limitation rules that establish:

(1) The criteria for distributing state funding for alternative learning environment programs.

(A) The criteria shall identify the characteristics of students who may be counted for the purpose of funding an alternative learning environment program including without limitation that a student is educated in the alternative learning environment for a minimum of twenty (20) consecutive days.

(B) If a student is educated in the alternative learning environment for fewer than twenty (20) days, the department may provide funding to a school district based on the actual number of days the student is educated in the alternative learning environment if the student:

(i) Leaves the school district to transfer to another alternative learning environment; or

(ii) Is placed in a residential treatment program;

(2)(A) The criteria for teacher training for teachers in alternative learning environments, including without limitation:

(i) In-service training in classroom management; and

(ii) Training in additional areas related to the specific needs and characteristics of students who are educated in alternative learning environments.

(B) The department shall award professional development credit for the training under this subdivision (a)(2); and

(3) Measures of effectiveness for alternative learning environments that measure:

(A) For the students educated in the alternative learning environment the effect on the students':

(i) School performance;

(ii) Need for intervention; and

(iii) School attendance and dropout rate; and

(B) Any other characteristic of alternative learning environments deemed necessary by the department.

(b)(1) As part of the department's accreditation review of a school district under § 6-15-202, the department shall evaluate each alternative learning environment to ensure that the alternative learning environment is:

(A) Established and operated in compliance with this chapter; and

(B) Effective under the measurements established by the department under this section.

(2) The department shall identify a school district's noncompliance with this chapter on the school district's annual report card.

(c) The department shall identify information concerning best practices for educating students in alternative learning environments and disseminate that information to teachers and administrators working in alternative learning environments.

(d) Annually by September 15 the department shall provide to the House Interim Committee on Education and the Senate Interim Committee on Education a report on:

(1) The information reported to it under § 6-48-102; and

(2) The effectiveness of alternative learning environments evaluated under this chapter.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that it is the constitutional obligation of the state to ensure that the state's public school children receive an equal opportunity for an adequate education; that to ensure that opportunity, it is essential that the state's public schools and education service cooperatives operate effective alternative learning environments; that the immediate effectiveness of this bill is necessary for the implementation of the funding changes and for the public schools and education service cooperatives to operate effective alternative learning environments under this bill throughout the state by the 2011-2012 school year; and

that any delay in the effective date of this act could work irreparable harm to the quality of education available to students who are educated in alternative learning environments in this state. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2011."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Jeffress

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CLR151

Secretary