

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**

# A Bill

**HOUSE BILL 1034**

4 **By: Representatives Mahony and Wilson**

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## **For An Act To Be Entitled**

8 "AN ACT TO IMPOSE A LEVEL OF ACADEMIC ACHIEVEMENT AS A  
9 PREREQUISITE FOR PARTICIPATION IN AN *INTERSCHOLASTIC*  
10 ACTIVITY IN THE PUBLIC SCHOOLS OF THIS STATE; TO PHASE IN  
11 THE STANDARD OVER A THREE-YEAR PERIOD; TO REQUIRE A STUDY  
12 BE CONDUCTED TO DETERMINE IF THE STANDARD HAS AN ADVERSE  
13 IMPACT ON CERTAIN STUDENTS; AND FOR OTHER PURPOSES."

14

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

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17 SECTION 1. (a) (1) Beginning with the 1991-92 school year, a student  
18 enrolled in a school district in this state shall be suspended from  
19 participation in any *interscholastic* activity sponsored or sanctioned by the  
20 school district during the grade reporting period after a grade reporting  
21 period in which the student's *overall* grade point average in academic courses  
22 was lower than the equivalent of a 1.6 on a 4.0 grading scale and the student  
23 did not achieve a passing grade in four (4) academic courses.

24 (2) Beginning with the 1992-93 school year, a student enrolled in  
25 a school district in this state shall be suspended from participation in any  
26 *interscholastic* activity sponsored or sanctioned by the school district during  
27 the grade reporting period after a grade reporting period in which the  
28 student's *overall* grade point average in academic courses was lower than the  
29 equivalent of a 1.8 on a 4.0 grading scale and the student did not achieve a  
30 passing grade in four (4) academic courses.

31 (3) Beginning with the 1993-94 school year, a student enrolled in  
32 a school district in this state shall be suspended from participation in any  
33 *interscholastic* activity sponsored or sanctioned by the school district during  
34 the grade reporting period after a grade average in academic courses was lower  
35 than the equivalent of a 1.9 on a 4.0 grading scale and the student did not

1 *achieve a passing grade in four (4) academic courses.*

2           (4) Beginning with the 1994-95 school year and each year  
3 thereafter, a student enrolled in a school district in this state shall be  
4 suspended from participation in any *interscholastic* activity sponsored or  
5 sanctioned by the school district during the grade reporting period after a  
6 grade reporting period in which the student's overall grade point average in  
7 academic courses was lower than the equivalent of a 2.0 on a 4.0 grading scale  
8 and the student did not achieve a passing grade in four (4) academic courses.

9           (b) The State Department of Education shall develop guidelines for use  
10 by school districts to provide a certified exemption from the grade point  
11 average requirements of subsection (a) to a student found to be performing at  
12 his or her fullest level of capability although such may be below the grade  
13 point average requirements of subsection (a).

14           (c) A handicapped student receiving special education or related  
15 services shall be suspended from participation in any *interscholastic*  
16 activity sponsored or sanctioned by the school district during the grade  
17 reporting period after a grade reporting period in which the student fails to  
18 successfully complete his individual education plan.

19           (d) For purposes of this section:

20           (1) "Academic course" means a course which is identified in the  
21 education standards as one of the required course offerings or a course which  
22 is a definable course for which classtime is scheduled; which is credited to  
23 meet minimum requirements for graduation; which is taught by a teacher  
24 required to have state certification in the course, endorsement or approval;  
25 and which has a course content guide approved by the Arkansas Department of  
26 Education.

27           (2) "Grade reporting period" shall occur at least once each nine  
28 week quarter of the school year.

29           (3) "*Interscholastic* activity" means those extracurricular and  
30 noninstructive courses, programs and activities sponsored or sanctioned by the  
31 school district for which no credit for graduation is provided and which are  
32 conducted on a *competitive basis between schools*.

33           (d) The student may return to participation in any *interscholastic*  
34 activity if the student achieves a grade point average as required by this Act  
35 in academic courses during any following grade reporting period. A  
36 handicapped student may return to participation in any *interscholastic*

1 activity if the student successfully completes his individual education plan  
2 during any following grade reporting period.

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4 SECTION 2. (a) The State Board of Education shall promulgate rules and  
5 regulations necessary for proper record keeping concerning adverse impact of  
6 this act on identifiable classes of students within the school district.

7 (b) The State Board of Education shall require sufficient reporting to  
8 the Arkansas Department of Education by the school districts to assure  
9 compliance with the provisions of this act.

10 (c) Before January 1993, the State Department of Education shall  
11 prepare a report for presentation to the Seventy-ninth Arkansas General  
12 Assembly, on the adverse impact of this act on identifiable classes of  
13 students within the school districts of this state. The report shall include  
14 a recommendation by the State Board of Education concerning the continuation  
15 or repeal of this act.

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17 SECTION 3. (a) *The General Assembly of the State of Arkansas*  
18 *recognizes the importance of extracurricular and non-instructional activities*  
19 *as an integral part of the educational program of students enrolled in a*  
20 *school district in this state.*

21 (b) *Beginning with the 1991-92 school year, each school district in*  
22 *this state shall develop a plan to encourage maximum student participation in*  
23 *all extracurricular and non-instructional activities of the school district.*

24 (c) *The plan shall set forth criteria for student participation,*  
25 *including but not limited to compliance with policies of the organization in*  
26 *which the student wishes to participate, a minimum grade point average for*  
27 *participation in an unlimited number of activities, and a minimum grade point*  
28 *average for participation in a set number of activities.*

29 (d) *As a part of the school district's annual report, the State*  
30 *Department of Education shall verify that the school district has a copy of*  
31 *the plan and any subsequent amendment on file in the superintendent's office*  
32 *and available for public inspection.*

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34 SECTION 4. All provisions of this act of a general and permanent nature  
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3       SECTION 5. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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9       SECTION 6. All laws and parts of laws in conflict with this act are  
10 hereby repealed.

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*/s/J. Mahony, et al*

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