

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Mahony**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH A LEARNFARE PROGRAM IN THE DEPARTMENT
9 OF HUMAN SERVICES; AND FOR OTHER PURPOSES."

10

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

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13 SECTION 1. DEFINITIONS. (1) "Department" means the Department of
14 Human Services.

15 (2) "School" means a public, private, or parochial school.

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17 SECTION 2. An individual who is a recipient of Aid to Families with
18 Dependent Children (AFDC) shall attend school to meet the participation
19 requirements of the program if all of the following apply:

20 (1) The individual is subject to the attendance requirements of Ark.
21 Code §6-18-201;

22 (2) If the individual is the caretaker of a child, the child is at
23 least 90 days old;

24 (3) If child care services are necessary in order for the individual to
25 attend school, child care is available for the child for which reimbursement
26 is provided by the department or the individual does not qualify for child
27 care assistance from the department;

28 (4) If the individual has been expelled from school, there is another
29 school available which the individual can attend; and

30 (5) The individual does not have good cause for failing to attend
31 school, as defined by rule of the department.

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33 SECTION 3. (a) An individual who fails to meet the requirements of
34 this act is subject to sanctions as provided by rule of the department.

35 (b) The department shall provide a hearing process pursuant to Ark.

1 Code §20-76-408 for appeal of any sanction imposed under this act.

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3 SECTION 4. (a) Upon application for assistance under the AFDC program,
4 the department shall inform the individual of the requirements of this act.

5 (b) The department may require the consent to release of school
6 attendance records as a condition of eligibility for AFDC.

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8 SECTION 5. (a) A public, private, or parochial school in this state
9 shall provide the county office of the department with attendance records for
10 all students having ten or more unexcused absences during a semester.

11 (b) The department shall notify the school of those individuals subject
12 to this act.

13 (c) The public, private, or parochial school shall notify the county
14 office of the department when more than two (2) full days of unexcused
15 absences occur for any individual subject to this act.

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17 SECTION 6. (a) The department is hereby authorized to promulgate any
18 rules or regulations necessary for the implementation of this act.

19 (b) The department shall request a waiver from the Secretary of the
20 federal Department of Health and Human Services to permit the application of
21 the school attendance requirement under this act. The provisions of this act
22 shall not be implemented by the department until the federal waiver is in
23 effect.

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25 SECTION 7. All provisions of this act of a general and permanent nature
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
27 Revision Commission shall incorporate the same in the Code.

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29 SECTION 8. If any provision of this act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 act are declared to be severable.

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35 SECTION 9. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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