

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representatives Smith, Argue, Brownlee and Wren**

A Bill

HOUSE BILL 1951

For An Act To Be Entitled

8 "AN ACT TO REQUIRE A STUDENT\ PARENT\ COUNSELOR CONFERENCE
9 DURING THE EIGHTH (8TH) GRADE FOR THE PURPOSE OF
10 EVALUATING PAST STUDENT PERFORMANCE, DEFINING EDUCATIONAL
11 OBJECTIVES, AND PLANNING A COURSE OF STUDY FOR HIGH
12 SCHOOL; TO ASSESS A CIVIL PENALTY AGAINST PARENTS,
13 GUARDIANS, OR PERSONS IN LOCO PARENTIS WHO FAIL TO ATTEND
14 THE CONFERENCE; AND FOR OTHER PURPOSES."

Subtitle

17 "TO REQUIRE STUDENT\ PARENT\ COUNSELOR CONFERENCES DURING
18 THE 8TH GRADE TO PLAN HIGH SCHOOL COURSES OF STUDY."

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

22 SECTION 1. (a) Beginning with the 1993-94 school year, each student in
23 the eighth (8th) grade, the school counselor, and the student_s parent(s),
24 guardian(s), or person(s) in loco parentis shall meet together in conference
25 for the purpose of evaluating the student_s past academic performance,
26 defining the student_s educational objectives for the future, and developing a
27 course of study for grades nine through twelve (9-12). At the request of the
28 parent(s), guardian(s), or person(s) in loco parentis, an individual of their
29 choosing may attend the conference with them.

30 (b) The conference shall be held at a reasonable time and location to
31 be set by the student_s school principal who shall notify the student_s
32 parent(s), guardian(s), or person(s) in loco parentis. *The principal shall*
33 *subsequently notify in writing by certified mail, return receipt requested,*
34 *those parent(s), guardian(s), or person(s) in loco parentis who do not*
35 *voluntarily attend the conference after first receiving notice.*

1 (c) Failure on the part of the student_s parent(s), guardian(s), or
2 person(s) in loco parentis upon *notice by certified mail* as provided in
3 subsection (b) to attend the conference provided for in this section or to
4 change the date and time to one that is mutually agreeable, shall subject them
5 to a civil penalty in such amount as a court of competent jurisdiction may
6 prescribe but not to exceed fifty dollars (\$50.00) plus costs of court and any
7 reasonable fees assessed by the court. The fine shall be forwarded by the
8 court to the school district attended by the student. When practicable and
9 appropriate, the court may utilize community service requirements in lieu of
10 monetary penalties.

11 (d)(1) The school district shall notify the prosecuting attorney if the
12 school attended by the student is located outside of the city limits or the
13 city attorney if the school attended by the student is located within the city
14 limits, whichever is applicable, whenever the student_s parent(s),
15 guardian(s), or person(s) in loco parentis violate the provisions of this
16 section, and the prosecuting attorney or city attorney shall take whatever
17 action is necessary to collect the penalty provided for in this section.

18 (2) The failure of the prosecuting attorney to timely pursue
19 collection on a case once notified shall be considered neglect of duty,
20 subjecting the prosecuting attorney to the provisions of § 16-21-116.

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22 SECTION 2. All provisions of this act of a general and permanent nature
23 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
24 Revision Commission shall incorporate the same in the Code.

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

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32 SECTION 4. All laws and parts of laws in conflict with this act are
33 hereby repealed.

34

/s/Judy S. Smith, et al

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