

1 State of Arkansas  
2 84th General Assembly  
3 Second Extraordinary Session, 2003  
4

Call Item 4

# A Bill

HOUSE BILL 1033

5 By: Representatives Cleveland, Bolin, Chesterfield, Fite, Moore  
6  
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## For An Act To Be Entitled

9 AN ACT TO CREATE REGIONAL ALTERNATIVE LEARNING  
10 ENVIRONMENTS; AND FOR OTHER PURPOSES.  
11

### Subtitle

12 CREATES REGIONAL ALTERNATIVE LEARNING  
13 ENVIRONMENTS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 5 is amended  
20 to add the following new sections:

21 6-18-515. Regional alternative learning environment.

22 (a)(1) One (1) regional alternative learning environment shall be  
23 established and operated by the Arkansas Pygmalion Commission on  
24 Nontraditional Education in each of the four (4) congressional districts of  
25 Arkansas.

26 (2) A "regional alternative learning environment" means an  
27 educational setting that offers nontraditional, flexible instructional  
28 methods that enable students to achieve educational or behavioral goals that  
29 have not been met by a school district alternative learning environment.

30 (b)(1) Each regional alternative learning environment shall enroll no  
31 more than two hundred fifty (250) students.

32 (2) No student shall be enrolled in a regional alternative  
33 learning environment until:

34 (A) The student has first been enrolled for a minimum of  
35 twenty (20) consecutive days in a school district alternative learning  
36 environment established pursuant to § 6-18-508;



1                   (B) The student has failed to achieve educational or  
 2 behavioral goals in the school district alternative learning environment; and

3                   (C) The student's school district evaluates and refers the  
 4 student to a regional alternative learning environment based on standards  
 5 established by the Arkansas Pygmalion Commission on Nontraditional Education.

6                   (c) The regional alternative learning environments shall enroll  
 7 students beginning with the 2005-2006 school year.

8                   (d) Each regional alternative learning environment is subject to the  
 9 reporting requirements of school districts and shall submit reports to the  
 10 Department of Education.

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 12                   6-18-516. Standards and facilities for regional alternative learning  
 13 environments.

14                   The Arkansas Pygmalion Commission on Nontraditional Education shall:

15                   (1)(A)(i) Establish the minimum requirements for locating and  
 16 housing each regional alternative learning environment.

17                   (ii) Regional alternative learning environments  
 18 shall be located in existing buildings that may be donated, sold, or leased  
 19 to the State of Arkansas and shall have sufficient space for up to two  
 20 hundred fifty (250) students.

21                   (B) Solicit and review requests for proposal for  
 22 alternative learning environments in accordance with purchasing laws;

23                   (2)(A) Establish standards for admission, instruction, and  
 24 testing of students in the regional alternative learning environments  
 25 utilizing regulations of the Department of Education as a model; and

26                   (B) Establish student discipline and attendance policies;

27                   (C) The commission may seek advice from the department on  
 28 preparing standards and regulations for the administration of this  
 29 subchapter;

30                   (3)(A) Hire a principal for each regional alternative learning  
 31 environment;

32                   (B) The principal shall have the same qualifications and  
 33 certification required for a public school principal.

34                   (C) The principal shall hire all teachers and staff of the  
 35 regional alternative learning environment subject to approval by the  
 36 commission.

1                   (D) The principal shall be responsible for the day-to-day  
 2 operations of the regional alternative learning environment;

3                   (4) Submit reports quarterly to the House Interim Committee on  
 4 Education and the Senate Interim Committee on Education concerning the  
 5 progress in developing the regional alternative learning environments; and

6                   (5) Meet as often as needed in order to have all standards and  
 7 facilities in place by the beginning of the 2005-2006 school year.

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 9                   6-18-517. Funding regional alternative learning environments.

10                   (a) Beginning with the 2005-2006 school year, a regional alternative  
 11 learning environment shall receive state funds each semester in the amount of  
 12 two thousand five hundred dollars (\$2,500) per student if:

13                   (1) Each student is referred by his or her school district for  
 14 enrollment in the regional alternative learning environment for the semester;  
 15 and

16                   (2) Each student is enrolled in the regional alternative  
 17 learning environment for the semester.

18                   (b) For each student referred to a regional alternative learning  
 19 environment by a school district, the school district shall transmit to the  
 20 regional alternative learning environment state funds received by the  
 21 district for the education of the student for the period during which the  
 22 student is enrolled in the regional alternative learning environment.

23                   (c) The Department of Education shall promulgate regulations to:

24                   (1) Facilitate the distribution of funds from school districts  
 25 to regional alternative learning environments;

26                   (2) Monitor the funding, budgeting, and enrollment of regional  
 27 alternative learning environments in accordance with this subchapter; and

28                   (3) Establish criteria for teacher preparation for regional  
 29 alternative learning environments, including in-service training.

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 31                   SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 32 General Assembly of the State of Arkansas that the Arkansas Supreme Court in  
 33 Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the  
 34 current system of education to be unconstitutional because it is both  
 35 inequitable and inadequate; that the Arkansas Supreme Court determined that  
 36 the state has an absolute duty to provide an equal opportunity to an adequate

1 education; and that establishing regional alternative learning environments  
2 will enhance learning opportunities for students. Therefore, an emergency is  
3 declared to exist and this act being immediately necessary for the  
4 preservation of the public peace, health, and safety shall become effective  
5 on:

6 (1) The date of its approval by the Governor;

7 (2) If the bill is neither approved nor vetoed by the Governor,  
8 the expiration of the period of time during which the Governor may veto the  
9 bill; or

10 (3) If the bill is vetoed by the Governor and the veto is  
11 overridden, the date the last house overrides the veto.

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