

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

Call Item 4

A Bill

HOUSE BILL 1068

5 By: Representative Mahony
6
7

For An Act To Be Entitled

9 AN ACT TO PROVIDE INCENTIVES FOR STUDENTS TO
10 IMPROVE THEIR PERFORMANCE ON STATE-MANDATED
11 ASSESSMENTS; AND FOR OTHER PURPOSES.
12

Subtitle

14 TO PROVIDE INCENTIVES FOR STUDENTS TO
15 IMPROVE THEIR PERFORMANCE ON STATE-
16 MANDATED ASSESSMENTS.
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 WHEREAS, the state spends a substantial portion of its budget each year
22 on public education; and
23

24 WHEREAS, many students in publicly-funded schools are not performing
25 well on state-mandated criterion-referenced assessments; and
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27 WHEREAS, when students fail to perform at or above-proficient on state-
28 mandated criterion-referenced assessments, federal funding for our public
29 education system may be jeopardized or lost; and
30

31 WHEREAS, students often need incentives to improve their performance;
32 and
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34 WHEREAS, students are often eager to drive, but fail to recognize that
35 driving is a privilege that must be earned; and
36



1 WHEREAS, students will now be required to earn the privilege of driving
2 each year by showing proof that they are maintaining a "C" average and
3 scoring at or above-proficient on state-mandated criterion-referenced
4 assessments; and

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6 WHEREAS, the General Assembly intends to instill in the students of the
7 State of Arkansas the importance of their education and require each of them
8 to accept more responsibility for their performance on state-mandated
9 assessments,

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11 NOW THEREFORE,

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

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14 SECTION 1. Arkansas Code § 27-16-701(d), regarding the application for
15 a license or an instruction permit, is amended to read as follows:

16 (d) Every application for an instruction permit or for a driver's
17 license by a person less than eighteen (18) years of age on October 1 of any
18 year shall be accompanied by:

19 (1)(A) Proof of receipt of a high school diploma or its
20 equivalent or enrollment and regular attendance in an adult education program
21 or a public, private, or parochial school.

22 (i)~~(a)~~ In order to be issued a license, a student
23 enrolled in school shall present proof of ~~a~~:

24 (a) A "C" average for the previous semester or
25 similar equivalent grading period for which grades are recorded as part of
26 the student's permanent record; and

27 (b)(1) If the school that the student attends
28 is required by state law to use or chooses to use state-mandated criterion
29 referenced assessments, a score of at or above-proficient on state-mandated
30 criterion-referenced assessments; or

31 (2) If the school that the student
32 attends is not required by state law or does not choose to use state-mandated
33 criterion referenced assessments, a letter from the school's administrator
34 stating that the student performed at or above-proficient, or the equivalent,
35 on the assessments used by the school for the testing period immediately
36 proceeding the student's application.

1 (b) ~~However, when the student does not have~~
2 ~~the required "C" average, a restricted license may be issued to the student~~
3 ~~for the purpose of driving to and from work.~~

4 (ii) A student with disabilities receiving special
5 education or related services or a student enrolled in an adult education
6 program shall present proof that the student is successfully completing his
7 or her individual education plan in order to be issued a license.

8 (B) "Regular attendance" in a school shall be attendance
9 in compliance with the established written policy of the school district or
10 school concerning truancy.

11 (C) "Regular attendance" in an adult education program
12 shall be attendance in compliance with the policy for sixteen-year-olds and
13 seventeen-year-olds established by the State Board of Workforce Education and
14 Career Opportunities as provided for in § 6-18-222;

15 (2) Proof that the person is being provided schooling at home as
16 described in § 6-15-501 et seq. in the form of a notarized copy of the
17 written notice of intent to home school the student provided by the parent or
18 guardian to the superintendent of the local school district as required by §
19 6-15-503; or

20 (3) Proof that the person is enrolled in a postsecondary
21 vocational-technical program, a community college, or a two-year or four-year
22 institution of higher education.

23
24 SECTION 2. Arkansas Code § 27-16-701(e), regarding the application for
25 a license or an instruction permit, is amended to read as follows:

26 (e) The Department of Education shall develop guidelines for use by
27 school districts to provide a certified exemption from the "C" average
28 requirement of subdivision (d)(1)(A)(i) of this section to a student found to
29 be performing at his or her fullest level of capability although that may be
30 below a "C" average or scoring below-proficient on state-mandated criterion-
31 referenced assessments.

32
33 SECTION 3. Arkansas Code § 27-16-702, regarding the application of
34 minor for instruction permit, learner's license, or intermediate driver's
35 license, is amended to add an additional subsection to read as follows:

36 (e) The application or a memorandum attached to the application shall

1 provide the following notice to all applicants who are applying under § 27-
 2 16-701(d)(1)(A)(i):

3 (1) The state spends a substantial portion of its budget each
 4 year on public education;

5 (2) Students in many school districts are not performing well in
 6 school and on state-mandated tests;

7 (3) Students often need incentives to improve their performance;

8 (4) Students are often eager to drive, but fail to recognize
 9 that driving is a privilege that must be earned; and

10 (5) Students will now be required to earn the privilege of
 11 driving each year by showing proof that they are maintaining a "C" average
 12 and scoring at or above-proficient on state-mandated tests before their
 13 drivers' licenses will be issued or renewed.

14
 15 SECTION 4. Arkansas Code § 27-16-901(a)(1)(B), regarding the
 16 expiration and renewal of driver's licenses, is amended to read as follows:

17 (B)(i) A learner's license shall be issued for no more than a
 18 ~~two-year~~ one-year period and shall expire upon the driver reaching sixteen
 19 (16) years of age.

20 (ii) Any person sixteen (16) years of age may apply
 21 for an intermediate driver's license provided that his or her driving record
 22 is free of a serious accident and conviction of a serious traffic violation
 23 for the most recent six-month period.

24
 25 SECTION 5. Arkansas Code § 27-16-901(a)(1)(C), regarding the
 26 expiration and renewal of driver's licenses, is amended to read as follows:

27 (C)(i) ~~Intermediate drivers' licenses~~ An intermediate
 28 driver's license shall be issued for no more than a ~~two-year~~ one-year period
 29 and shall expire upon the driver reaching age eighteen (18) years of age.

30 (ii) ~~and~~ An intermediate driver's license may be
 31 renewed ~~at that time~~ as a regular driver's license upon the driver reaching
 32 age eighteen (18) years of age for four (4) years, so long as the
 33 intermediate driver has been free of a serious accident and conviction of a
 34 serious traffic violation for at least twelve (12) months prior to arriving
 35 at his or her eighteenth birthday.

36 (iii) If an intermediate driver's license is renewed

1 upon the driver reaching age eighteen (18) years of age, it shall, from that
2 point onward, be renewed as a regular driver's license for four (4) years.

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4 SECTION 6. This act shall apply to all drivers' license applications
5 completed on or after July 1, 2004.

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