A Bill

For An Act To Be Entitled
AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING EXCESSIVE STUDENT ABSENCES FROM PUBLIC SCHOOL; AND FOR OTHER PURPOSES.

Subtitle
TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING EXCESSIVE STUDENT ABSENCES FROM PUBLIC SCHOOL.

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

SECTION 1. Arkansas Code § 6-18-209 is amended to read as follows: 6-18-209. Adoption of student attendance policies — Effect of excessive absences.

(a) The board of directors of each school district in this state shall adopt student attendance policies.

(b) Each school district shall, as a part of its six-year educational plan, develop strategies for promoting maximum student attendance, including, but not limited to, the use of alternative classrooms and in-school suspensions in lieu of suspension from school.

(c) A student attendance policy may include excessive unexcused absences as a mandatory basis for denial of promotion or graduation.

SECTION 2. Arkansas Code § 6-18-220(a)(4), concerning excused absences for participation in FFA, FHA, and 4-H programs, is amended to read as follows:

(4) One method of encouraging participation in such programs is
to excuse the grant additional absences of students from regular classes when
the students are participating to students who participate in officially
sanctioned activities of those organizations.

SECTION 3. Arkansas Code § 6-18-220(c), concerning excused absences
for participation in FFA, FHA, and 4-H programs, is amended to read as
follows:

(c) Any school district that excuses grants additional absences of FFA
member students who attend officially sanctioned FFA activities shall afford
equal treatment to FHA and 4-H member students who attend the same or similar
officially sanctioned activities.

SECTION 4. Arkansas Code § 6-18-222(a)(2) - (5)(A), concerning the
penalty for excessive unexcused absences, are amended to read as follows:

(2) The State Board of Workforce Education and Career
Opportunities Career Education shall adopt a student attendance policy for
sixteen-year-olds and seventeen-year-olds enrolled in an adult education
program. The policy shall require a minimum attendance of ten (10) hours per
week to remain in the program.

(3) A copy of the school district’s student attendance policy or
the board’s State Board of Career Education’s student attendance policy for
sixteen-year-olds and seventeen-year-olds enrolled in adult education shall
be provided to the students’ parents, guardians, or persons parent, guardian,
or person in loco parentis of each student enrolled in an adult education
program at the beginning of the school year or upon enrollment, whichever
event first occurs.

(4)(A)(i) A student’s parents, guardians, or persons parent,
guardian, or person in loco parentis and the community truancy board, if the
community truancy board has been created, shall be notified when the student
has accumulated excessive unexcused absences equal to one-half (½) the total
number of absences permitted per semester under the school district’s or the
board’s State Board of Career Education’s student attendance policy.

(ii) Notice shall be by telephonic contact with the
student’s parents, guardians, or persons parent, guardian, or person in loco
parentis by the end of the school day in which the absence occurred or by
regular mail with a return address on the envelope sent no later than the
following school day.

(iii) Notice to the community truancy board, if the community truancy board has been created, shall be by letter to the chair of the community truancy board.

(B) The if a community truancy board has been created, the community truancy board shall schedule a conference with the parents, guardians, or persons parent, guardian, or person in loco parentis to establish a plan to take steps to eliminate or reduce the student’s unexcused absences.

(C) If the community truancy board has scheduled a conference and the student’s parents, guardians, or persons parent, guardian, or person in loco parentis do not attend the scheduled conference, the conference may be conducted with the student and a school official. However, the parent, guardian or person in loco parentis shall be notified of the steps to be taken to eliminate or reduce the child’s absence student’s absences.

(D)(i) Before a student accumulates the maximum number of absences allowed in a school district’s student attendance policy, the student or the student’s parent, guardian, or person in loco parentis may petition the school administration or school district administration for special arrangements to address the student’s absences.

(ii) If special arrangements are granted by the school administration or the school district administration, the arrangements will be formalized into a written agreement to include the conditions of the agreement and the consequences for failing to fulfill the requirements of the agreement.

(iii) The agreement shall be signed by the:

(a) Designee of the school administration or of the school district administration;

(b) Student’s parent, guardian, or person in loco parentis; and

(c) Student.

(5)(A) Whenever When a student exceeds the number of excessive unexcused absences provided for in the district’s or the board’s State Board of Career Education’s student attendance policy, or when a student has violated the conditions of an agreement granting special arrangements under
subdivision (a)(4)(D) of this section, the school district or the adult education program shall notify the prosecuting authority and the community truancy board, if a community truancy board has been created, and the student’s parent, guardian, or person in loco parentis shall be subject to a civil penalty through a family in need of services action in circuit court, as authorized under subdivision (a)(6)(A) of this section, but not to exceed five hundred dollars ($500) plus costs of court and any reasonable fees assessed by the court.

SECTION 5. Arkansas Code § 6-27-113 is amended to read as follows:

6-27-113. Absence due to military deployment.

A student shall be granted additional excused absences at the discretion of the local educational agency superintendent to visit with his or her parent or legal guardian if the parent or legal guardian is a member of the uniformed services and has:

(1) Been called to active duty or is on leave from active duty; or

(2) Returned from deployment to a combat zone or combat support posting.

SECTION 6. Arkansas Code § 7-4-116(c)(1)(A), concerning the election poll workers program for high school students, is amended to read as follows:

(A) Be excused granted an additional absence from school while working as an election page;

SECTION 7. Arkansas Code § 7-4-116(d)(1)(D), concerning the election poll workers program for high school students, is amended to read as follows:

(D) Be excused granted an additional absence from school while working as an election official.

/s/McLean

APPROVED: 04/06/2011