

As Engrossed: 3/24/93 4/7/93

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 1288 OF 1993
HOUSE BILL 2121

4 **By: Representatives Pollan, Northcutt, King, McGinnis, Baker, Argue and Roberts**

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For An Act To Be Entitled

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"AN ACT TO ESTABLISH THE ARKANSAS PYGMALION COMMISSION ON
NONTRADITIONAL EDUCATION; AND TO DECLARE AN EMERGENCY; AND
FOR OTHER PURPOSES."

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Subtitle

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"TO ESTABLISH THE PYGMALION COMMISSION ON NONTRADITIONAL
EDUCATION."

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

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SECTION 1. PURPOSE. It is the purpose of the General Assembly through this Act to focus public attention on the problems facing those Arkansas students not being educated under the current public school system and on the need for alternative learning environments to avoid the consequences to all Arkansans that will result if nothing is done to better prepare these students. The General Assembly believes that many of the problems can be conquered. The key is recognizing and identifying how the system is failing a child, early enough to provide meaningful intervention, and then adapting or altering the system to meet a child's educational needs. Arkansas schools exist solely for the benefit of the children, and the schools must adapt to the children's educational needs. The Arkansas Pygmalion Commission on Nontraditional Education will act to focus public attention, as a clearinghouse for information regarding alternative learning environments, and to ensure that needed changes are made in curriculum, instructional approaches, school climate, and organization to improve educational outcomes for at-risk students.

SECTION 2. (a) The Arkansas Pygmalion Commission on Nontraditional Education is hereby established for purposes of, including but not limited to the following:

1 (1) Identifying and developing additional funding bases, including such
2 nontraditional sources to use in implementing intervention services for
3 students as private funds and grants, federal education funds and grants, and
4 sale of merchandise and services generated by alternative education programs,
5 that can be deployed in meeting the educational needs of all Arkansas
6 children;

7 (2) Conducting a study to determine the cost of various service models
8 and the relative cost-effectiveness of each;

9 (3) Identifying, in conjunction with school administrators responsible
10 for alternative learning environments, factors to consider in determining the
11 placement of students in alternative learning environments, including but not
12 limited to the following:

13 (A) Standardized test scores or assessment portfolios which
14 indicate that a student is nine (9) months or more behind grade level;

15 (B) Being one (1) year or more behind grade level peers in
16 accumulating credits for graduation;

17 (C) Retained one (1) or more times;

18 (D) Recurring absences;

19 (E) Personal or family problems or situations that have
20 negatively affected ability to function in school;

21 (F) Referrals for special education in which the student is found
22 not eligible for special education;

23 (G) Suspension or expulsion within the previous or current school
24 semester;

25 (4) Forming guidelines whereby the public schools and other agencies
26 work collectively to implement a program for Arkansas children in kindergarten
27 through grade twelve (K-12), in both general education and vocational
28 education;

29 (5) Collecting and compiling research, information, and data regarding
30 alternative and nontraditional methods for meeting the educational needs of
31 all Arkansas children and disseminating it to the public schools; and

32 (6) Recommending the implementation of both in-service and university
33 level courses designed to enhance the ability of a teacher or an administrator
34 to develop interventions that will meet the needs of students identified for
35 placement in an alternative or nontraditional learning environment.

1 (b) The Commission shall utilize the Proposed Arkansas Department of
2 Education Rules and Regulations for Alternative Learning Environments, dated
3 January 13, 1993.

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5 SECTION 3. (a) The Arkansas Pygmalion Commission on Nontraditional
6 Education shall be composed of sixteen (16) members to be appointed in the
7 manner and to represent various interests as follows:

8 (1) One (1) member representing classroom teachers to be
9 recommended by the Arkansas Education Association and appointed by the
10 Governor;

11 (2) One (1) member representing school district superintendents
12 to be recommended by the Arkansas Association of Education Administrators and
13 appointed by the Governor;

14 (3) Two (2) members representing school principals with
15 alternative education experience to be recommended by the Arkansas Association
16 of Education Administrators and appointed by the Governor;

17 (4) One (1) member representing the Department of Health and
18 appointed by the Governor;

19 (5) One (1) member representing the Department of Human Services
20 and appointed by the Governor;

21 (6) One (1) member representing the General Education Division of
22 the Department of Education and appointed by the Governor;

23 (7) One (1) member representing the Vocational and Technical
24 Education Division of the Department of Education and appointed by the
25 Governor;

26 (8) One (1) member of the House of Representatives and the Joint
27 Interim Committee on Education to be appointed by the Speaker of the House;

28 (9) One (1) member of the Senate and the Joint Interim Committee
29 on Education to be appointed by the President Pro Tempore of the Senate;

30 (10) One (1) member representing the juvenile justice system to be
31 appointed by the Governor;

32 (11) One (1) member representing students with learning
33 disabilities or Attention Deficit Disorder to be appointed by the Governor;

34 (12) Two (2) members representing physicians and psychologists who
35 specialize in treating children and adolescents to be recommended by the Chief

1 of Staff of Arkansas Children_s Hospital and appointed by the Governor;

2 (13) One (1) member representing parents to be recommended by the
3 Arkansas congress of Parents and Teachers Association and appointed by the
4 Governor; and

5 (14) One (1) member at-large to be appointed by the Governor.

6 (b) The commission shall expire on June 30,1997, with its final report
7 due in November 1997, unless the commission is continued by further act of the
8 Arkansas General Assembly.

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10 SECTION 4. (a) The Governor shall appoint one (1) member of the
11 commission to serve as chairman.

12 (b) The Director of the General Education Division shall serve as a
13 disbursing officer of any funds received by the commission.

14 (c) The commission shall hold its first meeting no later than one (1)
15 month after the Regular Session of the Seventy-Ninth General Assembly is
16 adjourned.

17 (d) By July 1, 1994, the commission shall submit a report containing
18 recommendations for alternative and nontraditional methods for meeting the
19 educational needs of all Arkansas children and for funding, including add-on
20 weights in the computation of state aid to public schools under § 16-20-301,
21 et seq., to the Governor, the Joint Interim Committees on Education and
22 Children and Youth, and the Department of Education and annual reports
23 thereafter.

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25 SECTION 5. (a) The following state agencies and constitutional
26 officers shall contribute staff time to work for the Arkansas Pygmalion
27 Commission on Nontraditional Education:

28 (1) The General Education Division of the Department of
29 Education;

30 (2) The Vocational and Technical Education Division of the
31 Department of Education;

32 (3) The Department of Health;

33 (4) The Department of Human Services;

34 (5) The Administrative Office of the Courts; and

35 (6) The Office of the Governor.

1 (b) The members of the commission shall work cooperatively with the
2 various agencies and offices in determining how the work of the commission can
3 be scheduled to accommodate both the regular agency duties of staff and the
4 work of the commission.

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6 SECTION 6. (a) Members of the Arkansas Pygmalion Commission on
7 Nontraditional Education shall serve without pay, but the commission may, if
8 sufficient funds are available, reimburse non-legislative and non-state
9 employee members for actual and necessary expenses incurred in the performance
10 of their duties. Legislative members of the commission shall receive, in lieu
11 of reimbursement for expenses, the same per diem rate as members of the
12 General Assembly attending meetings of the Joint Interim Committee on
13 Education and shall be paid from funds appropriated for that purpose.
14 Expenses of state employees serving on the commission shall be reimbursed from
15 funds appropriated to that agency for such purposes.

16 (b) The commission is hereby authorized to accept gifts, grants, and
17 donations from private sources, from municipal and county governments, from
18 the state, and from the federal government to be used for the purposes of this
19 Act.

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

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

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31 SECTION 9. All laws and parts of laws in conflict with this act are
32 hereby repealed.

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34 SECTION 10. EMERGENCY. Not adopted.

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As Engrossed: 3/24/93 4/7/93

HB 2121

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/s/Carolyn Pollan, et al

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APPROVED: 4/21/93

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