

1 **State of Arkansas**
2 **79th General Assembly**
3 **Second Extraordinary Session, 1994**
4 **By: Representative Thicksten**

Call Item 33
ACT 47 OF 1994
HOUSE BILL 1010

A Bill

For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE ANN. § 6-15-407 TO REQUIRE THE
9 STATE BOARD OF EDUCATION TO ESTABLISH A PILOT PROGRAM TO
10 DETERMINE WHETHER A GED TEST IS AN APPROPRIATE ALTERNATIVE
11 TO AN OUTCOME-BASED EXAMINATION REQUIRED FOR *PUBLIC* HIGH
12 SCHOOL GRADUATION; AND TO DECLARE AN EMERGENCY; AND FOR
13 OTHER PURPOSES."

Subtitle

14
15 "TO ESTABLISH A PILOT PROGRAM TO
16 DETERMINE WHETHER A GED TEST IS AN
17 APPROPRIATE ALTERNATIVE FOR USE AS A
18 *PUBLIC* HIGH SCHOOL EXIT EXAM."
19

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

22
23 SECTION 1. Arkansas Code Annotated § 6-15-407 is hereby amended to read
24 as follows:

25 "§ 6-15-407. Basic competency tests generally.

26 (a) Beginning with the 1996-97 school year, all *public school* students
27 must successfully complete an outcome-based assessment examination in order to
28 receive a high school diploma.

29 (b) Students may take this examination during the eleventh (11th) and/or
30 twelfth (12th) grades.

31 (c) School districts shall develop academic improvement plans for each
32 student who fails to pass this examination.

33 (d) However, students with disabilities, as defined by the Individuals
34 With Disabilities Education Act, must receive a high school diploma if they
35 fulfill the requirements of their individual educational program.

36 (e) (1) Students with disabilities, as defined by Section 504 of the

1 Rehabilitation Act of 1973, shall only be required to take this test if it
2 appropriately measures the student's abilities.

3 (2) The local school district shall determine whether the assessment
4 tool appropriately measures a student's abilities and whether a particular
5 student must successfully pass the outcome-based assessment before receiving a
6 high school diploma.

7 (f) The Department of Education is authorized to do any and all things
8 necessary to develop an outcome-based assessment test and to cooperate with
9 the General Educational Development Testing Service to fulfill the
10 requirements of this section.

11 (g) For purposes of determining whether a General Educational
12 Development (GED) test is an appropriate alternative to an outcome-based
13 assessment, the State Board of Education shall establish a pilot program
14 during the 1994-95 school year whereby GED tests will be administered to
15 public high school seniors in a maximum of ten (10) Arkansas school districts
16 that differ in location and in size and agree to participate in the pilot
17 program. The Director of the General Education Division shall evaluate the
18 pilot program at the end of the 1994-95 school year and report his findings by
19 August 31, 1995, to the State Board of Education and the Joint Interim
20 Committee on Education.

21 (h) The State Board of Education is authorized to promulgate rules and
22 regulations to implement this program.

23 (i) "Competency and outcome-based assessment" means an age-appropriate
24 test or assessment of student academic knowledge in science, arts, humanities,
25 mathematics, history, social studies, language, communication, foreign
26 language, physical education, health, technology, or related academic skills.

27 (j) Neither competency and outcome-based assessment nor any other
28 assessment or testing procedure used in the public schools shall test or
29 assess student religious beliefs, political beliefs, ethics, attitudes, or
30 values.

31 (k) Public school testing or assessment of student self-esteem, mental
32 health, emotional health, or home or family life shall not be permitted for
33 the purpose of determining academic grades or high school graduation.

34 (l) The nonacademic assessment of student conduct for the purpose of
35 encouraging good behavior and decorum at school shall be permitted."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

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

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

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

SECTION 5. EMERGENCY. It is hereby found and determined by the Seventy Ninth General Assembly, meeting in Second Extraordinary Session, that it is necessary to establish a pilot program to determine whether a GED test is an appropriate alternative to the outcome-based assessment test that Ark. Code Ann. § 6-15-407 currently requires, beginning with the 1996-97 school year, for all students to successfully complete in order to receive a high school diploma and that the immediate passage of this Act is necessary to establish such a pilot program and evaluate its results. Therefore, an emergency is hereby declared to exist, and this Act being immediately necessary for the preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and approval.

/s/Edward F. Thicksten

APPROVED: 8-25-94

As Engrossed: 8/23/94

HB 1010

1

0812941043.jmb034