

*As Engrossed: 2/17/95 2/22/95 3/24/95*

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**

# **A Bill**

**ACT 837 OF 1995**  
**HOUSE BILL 1690**

4 **By: Representatives Baker and Pollan**

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## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARK. CODE § 6-18-201(b) TO CLARIFY  
9 REQUIREMENTS FOR SIXTEEN (16) AND SEVENTEEN (17) YEAR OLD  
10 STUDENTS TO OBTAIN A WAIVER FROM LOCAL SCHOOL DISTRICTS TO  
11 ENROLL IN AN ADULT EDUCATION PROGRAM; AND FOR OTHER  
12 PURPOSES."

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### **Subtitle**

15 "TO CLARIFY REQUIREMENTS FOR 16 AND 17  
16 YEAR OLD STUDENTS TO OBTAIN WAIVERS TO  
17 ENROLL IN ADULT EDUCATION PROGRAMS."

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

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21 SECTION 1. Arkansas Code Annotated § 6-18-201(b) is hereby amended to  
22 read as follows:

23 "(b) A local school district may grant a waiver of the attendance  
24 requirement to any student age sixteen (16) or seventeen (17) to enroll in an  
25 adult education program only after all of the following requirements have been  
26 met:

27 (1) The student makes formal application to the school district  
28 for a waiver to enroll in an adult education program.

29 (2) After formal application, and prior to any further action on  
30 such application, the student shall be administered either a Test for Adult  
31 Basic Education (T.A.B.E.) or a General Educational Development (G.E.D.)  
32 pre-test, under standardized testing conditions by a secondary school  
33 counselor, and shall score 8.5 or above on the T.A.B.E., or a minimum score of  
34 45 on each section and a minimum composite score of 49 on the *pre-G.E.D.*;  
35 *provided, however, that such minimum test scores shall not be required of any*  
36 *student who is subject to the attendance requirement of this section but was*

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1 not enrolled in any school district during the previous school year.

2 (3) The student and the student's parents, guardians, or persons  
3 in loco parentis meet with the school counselor to discuss academic options  
4 open to the student.

5 (4) The school district determines that the student is a proper  
6 candidate for enrollment in adult education, contingent upon approval by the  
7 appropriate adult education program.

8 (5) The adult education program reviews the student's school and  
9 testing records and agrees to admit the student into the program.

10 (6) The adult education program shall report attendance of all  
11 sixteen (16) and seventeen (17) year old enrollees to the sending school  
12 district on at least a monthly basis.

13 (7) The adult education program shall require, for continued  
14 enrollment, a minimum of *twenty (20)* hours per week of class attendance and  
15 instruction.

16 (8) The student, the student's parents, guardians, or persons in  
17 loco parentis, and the administrative head of the adult education program  
18 agree in writing that the student will attend a minimum of *twenty (20)* hours  
19 per week and maintain appropriate conduct as outlined in the local adult  
20 education program student handbook.

21 (9) That in the event a more appropriate assessment test, or  
22 testing and assessment mechanism, shall be developed to determine a reasonable  
23 level of competency for success at the adult education level, such test or  
24 mechanism shall be substituted, with the approval of the Adult Education  
25 Section of the Vocational and Technical Division of the Department of  
26 Education, for the tests required in subdivision (2) of this subsection.

27 (10) That, in the event a student does not attend class as  
28 mandated in this subsection or make reasonable progress toward the completion  
29 of the adult education curriculum, the student shall re-enroll in the public  
30 schools within five (5) days from the date the student is released from the  
31 Adult Education Program."

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33 *SECTION 2. Arkansas Code Annotated § 6-18-201 (a) (4) is hereby amended*  
34 *to read as follows:*

35 *"(4) (A) Any child age sixteen (16) or above enrolled in an adult*

1 education program as provided for in subsection (b) of this section or in the  
2 National Guard Youth Challenge Program is not subject to the attendance  
3 requirement.

4 (B) The requirements in subsection (b) of this section shall not  
5 apply to the National Guard Youth Challenge Program."

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7 SECTION 3. Arkansas Code Annotated § 6-18-222(a)(2) is hereby amended  
8 to read as follows:

9 "(2) The State Board of Vocational Education shall adopt a student  
10 attendance policy for sixteen (16) and seventeen (17) year olds enrolled in an  
11 adult education program, which shall require a minimum attendance of twenty  
12 (20) hours per week to remain in the program."

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14 SECTION 4. All provisions of this act of a general and permanent nature  
15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
16 Revision Commission shall incorporate the same in the Code.

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18 SECTION 5. If any provision of this act or the application thereof to  
19 any person or circumstance is held invalid, such invalidity shall not affect  
20 other provisions or applications of the act which can be given effect without  
21 the invalid provision or application, and to this end the provisions of this  
22 act are declared to be severable.

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24 SECTION 6. All laws and parts of laws in conflict with this act are  
25 hereby repealed.

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*/s/Rep. Baker, et al*

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28 APPROVED: 3-31-95

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