

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/15/11 H3/24/11

A Bill

HOUSE BILL 1995

5 By: Representative McLean
6

For An Act To Be Entitled

8 AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
9 CONCERNING EXCESSIVE STUDENT ABSENCES FROM PUBLIC
10 SCHOOL; AND FOR OTHER PURPOSES.
11

Subtitle

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13
14 TO AMEND PROVISIONS OF THE ARKANSAS CODE
15 CONCERNING EXCESSIVE STUDENT ABSENCES
16 FROM PUBLIC SCHOOL.
17

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 *SECTION 1. Arkansas Code § 6-18-209 is amended to read as follows:*

22 *6-18-209. Adoption of student attendance policies – Effect of*
23 *excessive absences.*

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

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

30 *(c) A student attendance policy may include excessive ~~unexcused~~*
31 *absences as a mandatory basis for denial of promotion or graduation.*
32

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

36 *(4) One method of encouraging participation in such programs is*



1 to ~~excuse the~~ grant additional absences ~~of students from regular classes when~~
2 ~~the students are participating~~ to students who participate in officially
3 sanctioned activities of those organizations.

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

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

12
13 SECTION 4. Arkansas Code § 6-18-222(a)(2) - (5)(A), concerning the
14 penalty for excessive unexcused absences, are amended to read as follows:

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

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

27 (4)(A)(i) A student's ~~parents, guardians, or persons~~ parent,
28 guardian, or person in loco parentis and the community truancy board, if the
29 community truancy board has been created, shall be notified when the student
30 has accumulated excessive ~~unexcused~~ absences equal to one-half ($\frac{1}{2}$) the total
31 number of absences permitted per semester under the school district's or the
32 ~~board's~~ State Board of Career Education's student attendance policy.

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

1 following school day.

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

5 (B) ~~The~~ If a community truancy board has been created, the
6 community truancy board shall schedule a conference with the ~~parents,~~
7 ~~guardians, or persons~~ parent, guardian, or person in loco parentis to
8 establish a plan to take steps to eliminate or reduce the student's ~~unexcused~~
9 absences.

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

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

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

27 (iii) The agreement shall be signed by the:

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

30 (b) Student's parent, guardian, or person in
31 loco parentis; and

32 (c) Student.

33 (5)(A) ~~Whenever~~ When a student exceeds the number of excessive
34 ~~unexcused~~ absences provided for in the district's or the ~~board's~~ State Board
35 of Career Education's student attendance policy, or when a student has
36 violated the conditions of an agreement granting special arrangements under

1 subdivision (a)(4)(D) of this section, the school district or the adult
 2 education program shall notify the prosecuting authority and the community
 3 truancy board, if a community truancy board has been created, and the
 4 student's ~~parents, guardians, or persons~~ parent, guardian, or person in loco
 5 parentis shall be subject to a civil penalty through a family in need of
 6 services action in circuit court, as authorized under subdivision (a)(6)(A)
 7 of this section, but not to exceed five hundred dollars (\$500) plus costs of
 8 court and any reasonable fees assessed by the court.

9
 10 SECTION 5. Arkansas Code § 6-27-113 is amended to read as follows:
 11 6-27-113. Absence due to military deployment.

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

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

17 or

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

20
 21 SECTION 6. Arkansas Code § 7-4-116(c)(1)(A), concerning the election
 22 poll workers program for high school students, is amended to read as follows:

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

25
 26 SECTION 7. Arkansas Code § 7-4-116(d)(1)(D), concerning the election
 27 poll workers program for high school students, is amended to read as follows:

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

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 31
 32 /s/McLean

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 35 APPROVED: 04/06/2011