

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: S3/12/15

A Bill

SENATE BILL 212

5 By: Senator Elliott
6

For An Act To Be Entitled

8 AN ACT TO ESTABLISH A STATEWIDE REENGAGEMENT PROGRAM;
9 TO INCREASE HIGH SCHOOL COMPLETION THROUGH THE
10 *DIFFERENTIATED* PATHWAY TO A HIGH SCHOOL DIPLOMA
11 PROGRAM; AND FOR OTHER PURPOSES.
12
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Subtitle

14 *TO ESTABLISH A STATEWIDE REENGAGEMENT*
15 *PROGRAM; TO INCREASE HIGH SCHOOL*
16 *COMPLETION THROUGH THE DIFFERENTIATED*
17 *PATHWAY TO A HIGH SCHOOL DIPLOMA PROGRAM.*
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Title 6, Chapter 16, is amended to add an
24 additional subchapter to read as follows:
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26 Subchapter 15 – Reengagement System and *Differentiated* Pathway to a
27 High School Diploma Program.
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29 6-16-1501. Findings and intent.

30 (a) The General Assembly finds that some students are unlikely to
31 become reengaged in their education through the traditional high school
32 pathway to a high school diploma because they have:

33 (1) Failed multiple classes and are far behind their peers in
34 accumulating credits to graduate; and

35 (2) Come to believe that obtaining a high school diploma is not
36 an achievable goal.



1 (b) The General Assembly further finds that:

2 (1) For many years, school districts, two-year institutions of
3 higher education, and community-based organizations such as the National
4 Guard Youth Challenge Program have created partnerships to provide
5 appropriate educational programs for students at risk of becoming disengaged;

6 (2) In recent years, many of these partnerships have ceased to
7 operate due to laws and rules that permit school districts to contract using
8 basic education allocations that do not provide sufficient guidance to
9 students and direct hundreds of disengaged students to a learning environment
10 that includes preparation for the General Education Development Test; and

11 (3) Programs have been forced to adapt to laws and rules that
12 were not designed to address the needs of the students being served, leaving
13 students without a viable alternative for continuing their public education
14 and graduating from a high school.

15 (c)(1) It is the intent of the General Assembly to provide a statutory
16 framework that will support a statewide reengagement through a Reengagement
17 System and *Differentiated* Pathway to a High School Diploma Program for
18 students.

19 (2) The framework for the program addresses funding, programs,
20 and administration by directing the State Board of Education to develop model
21 contracts and interlocal agreements that can be tailored by a school district
22 to fit the needs of the school district.

23 (3) The General Assembly further intends to encourage school
24 districts, *state-supported* institutions of higher education, career
25 education, and community-based organizations such as the Arkansas National
26 Guard Youth Challenge, to participate in the program and to provide
27 appropriate instruction and services to reengage students and help them
28 progress toward a high school diploma and workforce readiness skills.

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30 6-15-1502. Program established.

31 (a) The Reengagement System and *Differentiated* Pathway to a High
32 School Diploma Program is established.

33 (b) The purpose of the program is to provide appropriate educational
34 opportunities and access to services for students sixteen (16) years of age
35 to twenty-one (21) years of age who are disengaged from the traditional high
36 school setting and who are in danger of dropping out of high school or not

1 accumulating sufficient credits to reasonably complete a high school diploma.

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3 6-15-1503. Definitions.

4 As used in this subchapter:

5 (1) "Eligible student" means a student who is:

6 (A) At least sixteen (16) years of age;

7 (B) Either: (i) Below the fifty percent (50%) of credits
8 required for grade level and the minimum set of credits needed to complete a
9 high school diploma from a public school before the age of twenty-one (21);
10 or

11 (ii) Recommended for participation in the
12 Reengagement System and Differentiated Pathway to a High School Diploma
13 Program by a high school counselor; and

14 (C) Enrolled in or enrolls in the school district in which
15 the student resides or in a nonresident school district under a legal school
16 choice option;

17 (2)(A) "Full-time equivalent eligible student" means an eligible
18 student whose enrollment and attendance meet the criteria adopted by the
19 school district specifically for the program.

20 (B) Criteria adopted by a school district shall be based
21 on:

22 (i) The accumulated credits generated by the student
23 in high school, at a state-supported institution of higher education, or in
24 the National Guard Youth Challenge Program; and

25 (ii) A minimum amount of planned programming or
26 instruction and minimum attendance by the student, rather than the hours of
27 seat time; and

28 (3) "Participating program" means an educational program that
29 offers without limitation the following instruction and services:

30 (A)(i) Academic instruction that generates credits that
31 can be applied to a high school diploma from the student's school district or
32 from a state-supported institution of higher education with the goal of
33 enabling the student to obtain the academic and workforce skills necessary
34 for employment, postsecondary education, or the military, including without
35 limitation:

36 (a) Academic skills instruction; and

1 (b) College and workforce readiness
2 preparation.

3 (ii) Academic instruction is not limited to only the
4 subject areas in which the student is deficient in accumulated credits.

5 (iii) Academic instruction shall be provided by a
6 certified teacher or by an instructor employed by a *state-supported*
7 institution of higher education;

8 (B) Individual graduation plans;

9 (C) Academic and career counseling;

10 (D) Assistance with accessing services and resources that
11 support the student and reduce barriers to achieving educational success and
12 earning a high school diploma; and

13 (E)(i) If the program is offered by a *state-supported*
14 institution of higher education, the opportunity for qualified students to
15 enroll in college courses or workforce readiness courses that lead to a high
16 school diploma or enrollment in postsecondary education programs, including
17 certification programs.

18 (ii) College tuition and fees shall be paid by the
19 school district unless a previous memorandum of understanding specifies that
20 the cost is to be shared by the school district, the *state-supported*
21 institution of higher education, and the student.

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23 6-16-1504. School district participation.

24 (a) A school district may participate in the Reengagement System and
25 *Differentiated Pathway to a High School Diploma Program* by entering into:

26 (1) A model contract as specified under § 6-16-1505; or

27 (2) An interlocal agreement as specified under § 6-16-1505.

28 (b) This section does not affect the authority of a school district
29 to:

30 (1) Contract for educational services;

31 (2) Offer reengagement programs that include career and college
32 *classes, internship opportunities, or other educational services for eligible*
33 *students directly; or*

34 (3) Have an audit conducted to ensure that the program offered
35 *by the school district meets academic standards adopted by the Department of*
36 *Education.*

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2 6-16-1505. Model contract and model interlocal agreement.

3 (a) The State Board of Education shall develop and adopt a model
4 contract and model interlocal agreement that a school district can tailor to
5 its needs for adopting a participating program in the Reengagement System and
6 Differentiated Pathway to a High School Diploma Program.

7 (b) A model contract or model interlocal agreement shall address
8 without limitation:

9 (1) The responsibilities of identifying, referring, and
10 enrolling eligible students;

11 (2) Instruction and services to be provided as part of a
12 participating program;

13 (3) The responsibilities for data collection and reporting,
14 including student transcripts and data required by the Department of
15 Education;

16 (4) Administration of the high school student assessments or
17 their equivalent;

18 (5)(A) Uniform financial reimbursement rates per full-time
19 equivalent eligible student enrolled in a participating program, calculated
20 and allocated as a statewide annual average of public school funding and
21 including enhancements for students enrolled in college classes and workforce
22 readiness programs.

23 (B) Financial reimbursement may include a uniform
24 administrative fee to be retained by the school district;

25 (6) The responsibilities for providing special education or
26 related services for eligible students with disabilities who have an
27 individualized education plan;

28 (7) Minimum instructional staffing ratios for participating
29 programs offered by community-based organizations such as the National Guard
30 Youth Challenge Program, which are not required to be the same as for other
31 basic education programs in school districts; and

32 (8) Performance measures that are required to be reported to
33 high school counselors for the purpose of accountability, including
34 longitudinal monitoring of student progress.

35 (c) An eligible student enrolled in a participating program is
36 considered a regularly enrolled student of the school district in which he or

1 she is enrolled.

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6-16-1506. Rules.

The State Board of Education shall adopt rules to implement the Reengagement System and Differentiated Pathway to a High School Diploma Program, including without limitation rules addressing:

(1) The eligibility of a student at least sixteen (16) years of age but less than nineteen (19) years of age to take the General Education Development Test if the student provides a substantial and warranted reason for leaving the regular high school education program; and

(2) The determination of whether or not a student is eligible to enroll in a participating program.

/s/Elliott

APPROVED: 04/08/2015