

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/12/07

A Bill

HOUSE BILL 2541

5 By: Representatives Wood, *Dickinson*
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7

For An Act To Be Entitled

9 AN ACT TO ALLOW SCHOOL DISTRICTS TO ENTER INTO
10 AGREEMENTS WITH THE ARKANSAS NATIONAL GUARD FOR
11 STUDENT PARTICIPANTS IN THE YOUTH CHALLENGE AND
12 C-STEP PROGRAMS; TO CREATE THE ARKANSAS NATIONAL
13 *GUARD YOUTH CHALLENGE PROGRAM SUPPLEMENTAL FUND*
14 *AND THE ARKANSAS NATIONAL GUARD C-STEP PROGRAM*
15 *SUPPLEMENTAL FUND; AND FOR OTHER PURPOSES.*
16

Subtitle

17 TO ALLOW SCHOOL DISTRICTS TO ENTER INTO
18 AGREEMENTS WITH THE ARKANSAS NATIONAL
19 GUARD FOR STUDENT PARTICIPANTS IN THE
20 YOUTH CHALLENGE AND C-STEP PROGRAMS.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 2 is amended
27 to add an additional section to read as follows:

28 6-18-230. Agreements with the Arkansas National Guard.

29 (a) As used in this section:

30 (1)(A) "Civilian Student Training Program" or "C-Step Program"
31 means the diversion program that is administered by the Arkansas National
32 Guard for at-risk students who are referred to the program by juvenile court.

33 (B) "Civilian Student Training Program" or "C-Step
34 Program" includes a nine-week residence phase and a twelve-month after-care
35 program.

36 (C) "Civilian Student Training Program" or "C-Step



1 Program” uses a structured, discipline-based, military-styled education and
2 behavioral management model to teach each student participant to improve his
3 or her conduct, school performance, and learning development and to empower
4 each student to earn school credits to enable the student to return to school
5 at or above grade level. The graduates of the Civilian Student Training
6 Program or C-Step Program return to the public school system upon completion
7 of the program;

8 (2) “Sending school district” means the public school district
9 that a student participant attended during the preceding school year for at
10 least three (3) quarters;

11 (3) “Student participant” means a student who is participating
12 in either the Civilian Student Training Program or the Youth Challenge
13 Program as described in this section; and

14 (4)(A) “Youth Challenge Program” means the program administered
15 by the Arkansas National Guard for at-risk students that includes a residence
16 phase and a post-residence phase and that focuses on the student obtaining
17 his or her high school diploma or its equivalent.

18 (B) “Youth Challenge Program” includes eight (8) core
19 components:

20 (i) Academic excellence;

21 (ii) Life-coping skills;

22 (iii) Job skills;

23 (iv) Health and hygiene;

24 (v) Responsible citizenship;

25 (vi) Service to the community;

26 (vii) Leadership and followership; and

27 (viii) Physical fitness.

28 (b)(1) A school district may enter into an agreement with the
29 Administrator of the Youth Challenge Program or the Administrator of the C-
30 Step Program to distribute a percentage of the foundation funding as follows:

31 (A) For a student participant in the Youth Challenge
32 Program, a percentage of foundation funding to be deposited into the Arkansas
33 National Guard Youth Challenge Program Supplemental Fund; or

34 (B) For a student participant in the C-Step Program, a
35 percentage of foundation funding to be deposited into the Arkansas National
36 Guard C-Step Program Supplemental Fund.

1 (2) If an agreement is entered into under this subsection (b),
2 then the agreement shall include:

3 (A) The calculation used to determine the percentage of
4 foundation funding;

5 (B) A minimum payment to the program of:

6 (i) At least forty percent (40%) of the foundation
7 funding for the preceding school year after the student participant completes
8 the residence phase of the program with no additional subsequent funding; or

9 (ii) At least thirty percent (30%) of the foundation
10 funding for the preceding school year or school years after the student
11 participant completes the entire program; and

12 (C) The time for remittance of the payment.

13 (3) A student participant under this section shall be counted in
14 the sending school district's average daily membership.

15 (c) The Administrator of the Youth Challenge Program or his or her
16 designee shall:

17 (1) Collect information and documentation on each student
18 participant including:

19 (A) The sending school district for each student
20 participant; and

21 (B) The projected date that the student participant will
22 complete the Youth Challenge Program;

23 (2) Submit the information and documentation for each student
24 participant to the sending school district and the Department of Education;

25 (3) Notify the sending school district and the Department of
26 Education after a student participant completes the Youth Challenge Program;

27 (4) Provide a copy of any agreement between the sending school
28 district and the Arkansas National Guard regarding a student participant to
29 the Department of Education; and

30 (5) Provide a general accounting of the amount of foundation
31 funding received from each school district under any such agreement.

32 (d) The Administrator of the C-Step Program or his or her designee
33 shall:

34 (1) Collect information and documentation on each student
35 participant including:

36 (A) The sending school district for each student

1 participant; and

2 (B) The projected date that the student participant will
3 complete the C-Step Program;

4 (2) Submit the information and documentation for each student
5 participant to the sending school district and the Department of Education;

6 (3) Notify the sending school district and the Department of
7 Education after a student participant completes the C-Step Program;

8 (4) Provide a copy of any agreement between the sending school
9 district and the Arkansas National Guard regarding a student participant to
10 the Department of Education; and

11 (5) Provide a general accounting of the amount of foundation
12 funding received from each school district under any such agreement.

13 (e) The Department of Education shall promulgate rules for the
14 administration of this section and to verify that student participants
15 enrolled in the Youth Challenge Program or C-Step Program are included in the
16 average daily membership of the sending school district.

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18 SECTION 2. Arkansas Code § 6-20-2303(3), regarding definitions under
19 the Public School Funding Act of 2003, is amended to read as follows:

20 (3)(A) "Average daily membership" means the total number of days
21 of school attended plus the total number of days absent by students in ~~grades~~
22 kindergarten through grade twelve (K-12) during the first three (3) quarters
23 of each school year divided by the number of school days actually taught in
24 the school district during that period of time rounded up to the nearest
25 hundredth.

26 (B) In those instances in which the average daily
27 membership for fewer than three (3) quarters is specified, the number of days
28 used in the calculation shall be the days in the specified period of time.

29 (C) As applied to this subchapter, students who may be
30 counted for average daily membership are:

31 (i) Students who reside within the boundaries of the
32 school district and who are enrolled in a public school operated by the
33 school district;

34 (ii) Legally transferred students living outside the
35 school district but attending a public school in the school district under a
36 provision of the Arkansas Code; and

1 (iii) Students who are eligible to attend and who
2 reside within the boundaries of a school district and are enrolled in the
3 Arkansas National Guard Youth Challenge Program or the Arkansas National
4 Guard Civilian Student Training Program, so long as the students are
5 participants in the program.

6
7 SECTION 3. Arkansas Code § 6-13-1601(4), regarding the definitions
8 under the Public Education Reorganization Act, is amended to read as follows:

9 (4)(A) "Average daily membership" means the total number of days
10 attended plus the total number of days absent by students in ~~grades~~
11 kindergarten through grade twelve (K-12) during the first three (3) quarters
12 of each school year divided by the number of school days actually taught in
13 the district during that period of time rounded up to the nearest hundredth.

14 (B) Students who may be counted for average daily
15 membership are:

16 (i) Students who reside within the boundaries of the
17 school district and who are enrolled in a public school operated by the
18 district or a private school for special education students, with their
19 attendance resulting from a written tuition agreement approved by the
20 Department of Education;

21 (ii) Legally transferred students living outside the
22 district but attending a public school in the district; and

23 (iii) Students who reside within the boundaries of
24 the school district and who are enrolled in the Arkansas National Guard Youth
25 Challenge Program or the Arkansas National Guard Civilian Student Training
26 Program, so long as the students are participants in the program;

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28 SECTION 4. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended
29 to add two (2) additional sections to read as follows:

30 19-5-1230. Arkansas National Guard Youth Challenge Program
31 Supplemental Fund.

32 (a) There is created on the books of the Treasurer of State, the
33 Auditor of State, and the Chief Fiscal Officer of the State a fund to be
34 known as the "Arkansas National Guard Youth Challenge Program Supplemental
35 Fund".

36 (b)(1) All moneys collected under agreements made between the

1 Administrator of the Arkansas National Guard Youth Challenge Program and the
2 sending school district pursuant to § 6-18-230 shall be deposited into the
3 State Treasury to the credit of the fund as special revenues.

4 (2) The fund shall also consist of any other revenues authorized
5 by law.

6 (c) The fund shall be used by the Youth Challenge Program for expenses
7 for:

8 (1) Instructor salaries;

9 (2) Educational programming;

10 (3) Housing; or

11 (4) Other expenses related to the Youth Challenge Program.

12
13 19-5-1231. Arkansas National Guard C-Step Program Supplemental Fund.

14 (a) There is created on the books of the Treasurer of State, the
15 Auditor of State, and the Chief Fiscal Officer of the State a fund to be
16 known as the "Arkansas National Guard C-Step Program Supplemental Fund".

17 (b)(1) All moneys collected under agreements made between the
18 Administrator of the Arkansas National Guard Youth Challenge Program and the
19 sending school district pursuant to § 6-18-230 shall be deposited into the
20 State Treasury to the credit of the fund as special revenues.

21 (2) The fund shall also consist of any other revenues as may be
22 authorized by law.

23 (c) The fund shall be used by the C-Step Program for expenses for:

24 (1) Instructor salaries;

25 (2) Educational programming;

26 (3) Housing; or

27 (4) Other expenses related to the C-Step Program.

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29 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the
30 General Assembly of the State of Arkansas that the provisions of this act
31 will impact funding beginning with the fiscal year beginning on July 1, 2007;
32 that it will be difficult and require substantially more state resources to
33 administer this act if the act does not become effective on the first day of
34 the new fiscal year; and that this act is immediately necessary to ensure
35 that the school districts, the Youth Challenge Program, and the C-Step
36 Program are funded. Therefore, an emergency is declared to exist and this

1 act being necessary for the preservation of the public peace, health, and
2 safety shall become effective on July 1, 2007.

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/s/ Wood, et al