

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 88th General Assembly  
3 Regular Session, 2011  
4

*As Engrossed: SI/31/11*

# A Bill

SENATE BILL 138

5 By: Senators J. Key, Elliott, J. Hutchinson, Irvin, J. Jeffress, Madison, Salmon  
6 By: Representatives Pierce, Powers, T. Rogers, Webb, Lindsey, Harris, J. Dickinson, Summers  
7

## For An Act To Be Entitled

9 AN ACT TO PROVIDE A FRAMEWORK FOR AFTERSCHOOL  
10 PROGRAMS THAT PROMOTE POSITIVE YOUTH DEVELOPMENT; TO  
11 ESTABLISH THE POSITIVE YOUTH DEVELOPMENT GRANT  
12 PROGRAM; AND FOR OTHER PURPOSES.  
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14

## Subtitle

15 TO ESTABLISH THE POSITIVE YOUTH  
16 DEVELOPMENT GRANT PROGRAM ACT.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 6, Chapter 5, is amended to add an  
23 additional subchapter to read as follows:

24 Subchapter 9 - The Positive Youth Development Grant Program.

25 6-5-901. Legislative Intent -- Findings.

26 (a) It is the intent of the General Assembly to expand the  
27 availability of positive youth development programs that incorporate the  
28 standards and recommendations of the Governor's Task Force on Best Practices  
29 for After-School and Summer Programs including without limitation;

30 (1) School-based and school-linked afterschool and summer  
31 programs;

32 (2) 21st Century Community Learning Centers;

33 (3) Boys and Girls Clubs;

34 (4) YMCAs; and

35 (5) School-Age Care programs.

36 (b) The General Assembly finds that:



1 (1) Positive youth development programs:

2 (A) Support working families by ensuring their children  
3 and youth are safe and productive during out of school time;

4 (B) Build strong communities by involving students,  
5 parents, business leaders, and adult volunteers in the lives of young people  
6 in positive and productive activities, including tutoring, games, and  
7 activities designed to improve math and literacy skills;

8 (C) May include community-based service and other  
9 experiences that offer rich and varied academic support and build workforce  
10 skills critical to employment and future economic success; and

11 (D) Provide safe, challenging, engaging, and supervised  
12 learning experiences that help children and youth develop their educational,  
13 social, emotional, and physical skills where the assets and strengths of  
14 youth are emphasized rather than problems or deficits.

15 (2) Students participating in positive youth development  
16 programs:

17 (A) Have higher daily school attendance;

18 (B) Report higher aspirations toward finishing school and  
19 going to college;

20 (C) Have fewer discipline problems;

21 (D) Show significant gains in standardized test scores;

22 (E) Are more likely to have a positive view of themselves  
23 and their hope for the future;

24 (F) Cultivate positive bonds with people and institutions  
25 that are reflected in their exchange with peers, family, school, and  
26 community; and

27 (G) Are far less likely to use drugs and alcohol, have  
28 contact with police and the juvenile court system, or engage in sexual  
29 activity and other harmful or risky behaviors.

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31 6-5-902. Definitions.

32 As used in this subchapter:

33 (1) "Grant" means a Positive Youth Development Grant;

34 (2) "Positive youth development program" means a developmentally  
35 appropriate learning experience that helps children and youth five (5)  
36 through nineteen (19) years of age develop educational, social, emotional,

1 and physical skills during out of school time; and

2 (3) "Program" means a positive youth development program that is  
3 license-exempt or approved by the Department of Education as complying with  
4 the Out of School Time Licensing Standards as adopted by the Division of  
5 Child Care and Early Childhood Education.

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7 6-5-903. Establishment – Participation.

8 (a)(1) The Department of Education shall establish the Positive Youth  
9 Development Grant Program to assist in the establishment and funding of  
10 positive youth development programs for children and youth five (5) through  
11 nineteen (19) years of age once funding is available.

12 (2) The department, with the advice and assistance of the  
13 Division of Child Care and Early Childhood Education, shall develop rules  
14 necessary for the implementation of this subchapter.

15 (b) Participation in a positive youth development program shall be  
16 voluntary for:

17 (1) Public school districts; and

18 (2) Parents or guardians of children and youth five (5) through  
19 nineteen (19)years of age.

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21 6-5-904. Applications process – Allocation of funding.

22 (a)(1) A public school district, licensed youth development program,  
23 license-exempt youth development program, or an applicant that partners with  
24 a public school district, licensed youth development program, or license-  
25 exempt youth development program may apply for a positive youth development  
26 grant.

27 (2) A program is not required to be affiliated with a school  
28 district to be eligible to receive funding under this section.

29 (b) Each applicant for a positive youth development grant shall:

30 (1) Complete and submit the appropriate application developed by  
31 the Department of Education in collaboration with the Division of Child Care  
32 and Early Childhood Education;

33 (2) Submit documentation of strong community engagement and  
34 collaboration between schools, public institutions, private agencies,  
35 business, faith-based, and other community-based organizations working  
36 together to utilize the unique skills and resources to create a community

1 learning environment; and

2 (3)(A) Provide matching funds in the ratio of twenty-eighty  
3 (20:80), unless the applicant is granted a waiver by the division.

4 (B) The division may waive the required matching funds if:

5 (i) The program operates or will operate in a public  
6 school district that is designated by the Department of Education as being in  
7 school improvement; and

8 (ii) The division determines that the applicant is  
9 unable to provide the matching funds, after exhausting all potential funding  
10 sources.

11 (C) The matching funds may consist of cash or appropriate  
12 in-kind services.

13 (c) Preference shall be given to applications that:

14 (1) Are developed collaboratively by public and nonpublic  
15 schools and private community based programs;

16 (2) Contain accountability systems and measurable outcomes under  
17 guidelines developed by the department in consultation with the division;

18 (3) Detail funds received from all public sources for existing  
19 programs, the types of existing programs, and the types of students served by  
20 existing programs; and

21 (4) Increase comprehensive positive youth development programs  
22 during the school year and summer.

23 (d)(1) If the number of qualified applicants exceed the amount of  
24 available funding the department, after consultation with the Arkansas Early  
25 Childhood Commission, shall determine funding distribution.

26 (2) If there is a funding shortage, priority consideration shall  
27 be given to programs in communities where:

28 (A) A public school district has fifty percent (50%) or  
29 more students eligible for free and reduced lunches; and

30 (B) A public school district has been designated by the  
31 department as being in school improvement.

32 (e)(1) Grants shall be a three-year award to be distributed annually,  
33 as determined by the division.

34 (2) Grants may be renewable for positive youth development  
35 programs that meet adequate performance levels as developed by the  
36 department.

1           (3) Grants are subject to the availability of funds each fiscal  
2 year.

3           (f) Grant funds may be used for:

4           (1) Services that include children and youth with disabilities  
5 in programs that also serve nondisabled children and youth;

6           (2) Services that include children and youth where English is a  
7 second language;

8           (3) Technical assistance and planning to assist communities  
9 seeking to establish quality youth development programs by building community  
10 collaboration and partnerships; and

11           (4) A variety of activities including without limitation:

12           (A) Academic supports and skill building activities that  
13 link program content to the frameworks promulgated by the department;

14           (B) Activities that improve the health and wellness of  
15 children and youth, including physical activities, nutrition and health  
16 education, and safety;

17           (C) Art, theater, and music programs developed in  
18 collaboration with local arts or cultural programs;

19           (D) Activities that address cultural diversity and  
20 inclusion;

21           (E) Service learning or community service experiences;

22           (F) Workforce development activities that link academic  
23 curriculum to actual work experiences;

24           (G) Leadership development, mentoring, and other services  
25 to disconnected youth;

26           (H) Enrichment activities not otherwise provided during  
27 the school day; and

28           (I) Family and community engagement.

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30           6-5-905. Criteria for need-based funding.

31           (a) Children and youth five (5) through nineteen (19) years of age who  
32 are members of a family with a gross family income not exceeding two hundred  
33 percent (200%) of the federal poverty guidelines are eligible to attend a  
34 positive youth development program without cost if there is:

35           (1) A positive youth development program available in the  
36 community where the child resides; and

1 (2) Available space for the child to attend the program.

2 (b) The Department of Education and the Division of Child Care and  
3 Early Childhood Education may develop a fee schedule and establish  
4 eligibility based on family income for children and youth five (5) through  
5 nineteen (19) years of age who are not eligible under subsection (a) this  
6 section.

7 (c) The department and the division shall review criteria for  
8 identifying and targeting the areas of the state with the greatest need for  
9 programs.

10 (d) The State Board of Education, with the advice and assistance of  
11 the division shall adopt the appropriate criteria for identifying children  
12 and youth five (5) through nineteen (19) years of age with the greatest need  
13 to participate in programs funded by the grant.

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15 9-5-906. Evaluation.

16 (a) The Division of Child Care and Early Childhood Education shall be  
17 responsible for evaluating the impacts of the Positive Youth Development  
18 Grant Program.

19 (b)(1) The division shall provide grant recipients with technical  
20 assistance, evaluation, program monitoring, and professional development.

21 (2) The division may retain up to four percent (4%) of the  
22 amount appropriated for the Positive Youth Development Grant Program for this  
23 purpose.

24 (c)(1) Program evaluation and outcome measures shall be incorporated  
25 into the application and award procedure rules adopted by the division.

26 (2) Outcome measures shall include without limitation:

27 (A) Student achievement and academic skills;

28 (B) School engagement;

29 (C) Social, emotional, and behavioral development;

30 (D) Health and wellness; and

31 (E) Reduced contact with the judicial system.

32 (d) A minimum of one (1) time each year the division shall report its  
33 findings and recommendations concerning the Positive Youth Development Grant  
34 Program and technical assistance provided to the Governor, the President Pro  
35 Tempore of the Senate, the Speaker of the House of Representatives, the House  
36 Committee on Education, and the Senate Committee on Education.

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*/s/J. Key*