

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: S1/31/11 S2/15/11

# 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, *Williams*  
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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## 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;

35 (5) 4-H Clubs; and

36 (6) School-Age Care programs.



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(b) The General Assembly finds that:

(1) Positive youth development programs:

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

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

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

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

(2) Students participating in positive youth development programs:

(A) Have higher daily school attendance;

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

(C) Have fewer discipline problems;

(D) Show significant gains in standardized test scores;

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

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

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

6-5-902. Definitions.

As used in this subchapter:

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

(2) "Positive youth development program" means a developmentally

1 appropriate learning experience that helps children and youth five (5)  
2 through nineteen (19) years of age develop educational, social, emotional,  
3 and physical skills during out of school time; and

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

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9 6-5-903. Establishment – Participation.

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

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

17 (b) Participation in a positive youth development program shall be  
18 voluntary for:

19 (1) Public school districts; and

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

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23 6-5-904. Applications process – Allocation of funding.

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

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

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

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

35 (2) Submit documentation of strong community engagement and  
36 collaboration between schools, public institutions, private agencies,

1 business, faith-based, and other community-based organizations working  
2 together to utilize the unique skills and resources to create a community  
3 learning environment; and

4 (3)(A) Provide matching funds in the ratio of twenty-eighty  
5 (20:80), unless the applicant is granted a waiver by the division.

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

7 (i) The applicant operates or will operate the  
8 program within the geographic boundaries of a public school district that  
9 contains at least one (1) school in school improvement, as designated by the  
10 Department of Education; and

11 (ii) The division determines that the applicant is  
12 unable to provide the matching funds, after exhausting all potential funding  
13 sources.

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

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

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

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

21 (3) Detail funds received from all public sources for existing  
22 programs, the types of existing programs, and the types of students served by  
23 existing programs; and

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

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

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

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

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

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

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

4 (3) Grants are subject to the availability of funds each fiscal  
5 year.

6 (f) Grant funds may be used for:

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

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

11 (3) Technical assistance and planning to assist communities  
12 seeking to establish quality youth development programs by building community  
13 collaboration and partnerships; and

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

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

17 (B) Activities that improve the health and wellness of  
18 children and youth, including physical activities, nutrition and health  
19 education, and safety;

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

22 (D) Activities that address cultural diversity and  
23 inclusion;

24 (E) Service learning or community service experiences;

25 (F) Workforce development activities that link academic  
26 curriculum to actual work experiences;

27 (G) Leadership development, mentoring, and other services  
28 to disconnected youth;

29 (H) Enrichment activities not otherwise provided during  
30 the school day; and

31 (I) Family and community engagement.

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33 6-5-905. Criteria for need-based funding.

34 (a) Children and youth five (5) through nineteen (19) years of age who  
35 are members of a family with a gross family income not exceeding two hundred  
36 percent (200%) of the federal poverty guidelines are eligible to attend a

1 positive youth development program without cost if there is:

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

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

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

10 (c) The department and the division shall review criteria for  
11 identifying and targeting the areas of the state with the greatest need for  
12 programs.

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

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18 9-5-906. Evaluation.

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

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

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

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

29 (2) Outcome measures shall include without limitation:

30 (A) Student achievement and academic skills;

31 (B) School engagement;

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

33 (D) Health and wellness; and

34 (E) Reduced contact with the judicial system.

35 (d) A minimum of one (1) time each year the division shall report its  
36 findings and recommendations concerning the Positive Youth Development Grant

1 Program and technical assistance provided to the Governor, the President Pro  
2 Tempore of the Senate, the Speaker of the House of Representatives, the House  
3 Committee on Education, and the Senate Committee on Education.

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5 */s/J. Key*  
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