

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.

INTERIM STUDY PROPOSAL 2007-071

State of Arkansas

As Engrossed: H3/12/07 H3/13/07

86th General Assembly

A Bill

Regular Session, 2007

HOUSE BILL 2541

By: Representatives Wood, Dickinson

Referred to
Education Committee- House
by the House of Representatives
on 03/16/2007

For An Act To Be Entitled

AN ACT TO ALLOW SCHOOL DISTRICTS TO ENTER INTO AGREEMENTS WITH THE ARKANSAS NATIONAL GUARD FOR STUDENT PARTICIPANTS IN THE YOUTH CHALLENGE AND C-STEP PROGRAMS; TO CREATE THE ARKANSAS NATIONAL GUARD YOUTH CHALLENGE PROGRAM SUPPLEMENTAL FUND AND THE ARKANSAS NATIONAL GUARD C-STEP PROGRAM SUPPLEMENTAL FUND; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW SCHOOL DISTRICTS TO ENTER INTO AGREEMENTS WITH THE ARKANSAS NATIONAL GUARD FOR STUDENT PARTICIPANTS IN THE YOUTH CHALLENGE AND C-STEP PROGRAMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 2 is amended to add an additional section to read as follows:

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

(a) As used in this section:

(1)(A) "Civilian Student Training Program" or "C-Step Program" means the diversion program that is administered by the Arkansas National

1 Guard for at-risk students who are referred to the program by juvenile court.

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

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

13 (2) "Sending school district" means the public school district
14 that a student participant attended during the preceding school year for at
15 least three (3) quarters;

16 (3) "Student participant" means a student who is participating
17 in either the Civilian Student Training Program or the Youth Challenge
18 Program as described in this section; and

19 (4)(A) "Youth Challenge Program" means the program administered
20 by the Arkansas National Guard for at-risk students that includes a residence
21 phase and a post-residence phase and that focuses on the student obtaining
22 his or her high school diploma or its equivalent.

23 (B) "Youth Challenge Program" includes eight (8) core
24 components:

- 25 (i) Academic excellence;
- 26 (ii) Life-coping skills;
- 27 (iii) Job skills;
- 28 (iv) Health and hygiene;
- 29 (v) Responsible citizenship;
- 30 (vi) Service to the community;
- 31 (vii) Leadership and followership; and
- 32 (viii) Physical fitness.

33 (C) "Youth Challenge Program" includes a twenty-two (22)
34 week residence phase and a fourteen (14) month post-residence phase.

35 (b)(1) A school district may enter into an agreement with the
36 Administrator of the Youth Challenge Program or the Administrator of the C-

1 Step Program as follows:

2 (A) Five hundred dollars (\$500) for each student
3 participant in the Youth Challenge Program that the sending school district
4 has, to be deposited into the Arkansas National Guard Youth Challenge
5 Supplemental Fund; or

6 (B) Three hundred fifty dollars (\$350) for each student
7 participant in the C-Step Program that the sending school district has, to be
8 deposited into the Arkansas National Guard C-Step Supplemental Fund.

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

11 (A) The total amount due from the sending school district;
12 and

13 (B) The time for remittance of the payment.

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

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

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

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

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

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

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

29 (4) Provide a copy of any agreement between the sending school
30 district and the Youth Challenge Program regarding a student participant to
31 the Department of Education.

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; and

8 (4) Provide a copy of any agreement between the sending school
9 district and the C-Step Program regarding a student participant to the
10 Department of Education.

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

15
16 SECTION 2. Arkansas Code § 6-20-2303(3), regarding definitions under
17 the Public School Funding Act of 2003, is amended to read as follows:

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

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

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

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

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

35 (iii) Students who are eligible to attend and who
36 reside within the boundaries of a school district and are enrolled in the

1 Arkansas National Guard Youth Challenge Program or the Arkansas National
2 Guard Civilian Student Training Program, so long as the students are
3 participants in the program.

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

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

12 (B) Students who may be counted for average daily
13 membership are:

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

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

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

25
26 SECTION 4. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended
27 to add two (2) additional sections to read as follows:

28 19-5-1230. Arkansas National Guard Youth Challenge Program
29 Supplemental Fund.

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

34 (b)(1) All moneys collected under agreements made between the
35 Administrator of the Arkansas National Guard Youth Challenge Program and the
36 sending school district pursuant to § 6-18-230 shall be deposited into the

1 State Treasury to the credit of the fund as special revenues.

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

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

6 (1) Instructor salaries;

7 (2) Educational programming;

8 (3) Housing; or

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

10
11 19-5-1231. Arkansas National Guard C-Step Program Supplemental Fund.

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

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

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

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

22 (1) Instructor salaries;

23 (2) Educational programming;

24 (3) Housing; or

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

26
27 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the
28 General Assembly of the State of Arkansas that the provisions of this act
29 will impact funding beginning with the fiscal year beginning on July 1, 2007;
30 that it will be difficult and require substantially more state resources to
31 administer this act if the act does not become effective on the first day of
32 the new fiscal year; and that this act is immediately necessary to ensure
33 that the school districts, the Youth Challenge Program, and the C-Step
34 Program are funded. Therefore, an emergency is declared to exist and this
35 act being necessary for the preservation of the public peace, health, and
36 safety shall become effective on July 1, 2007.

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/s/ Wood, et al