

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 2009-104

State of Arkansas

As Engrossed: H3/6/09

87th General Assembly

A Bill

Regular Session, 2009

HOUSE BILL 1408

By: Representative Rainey

Filed with: House Interim Committee on Education
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO RESTRICT THE ENROLLMENT OF CHILDREN
SIXTEEN (16) YEARS OF AGE AND SEVENTEEN (17)
YEARS OF AGE IN ADULT EDUCATION PROGRAMS TO ALLOW
A PERSON OTHER THAN A PARENT TO AGREE ON STUDENT
PLACEMENT; AND FOR OTHER PURPOSES.

Subtitle

TO RESTRICT THE ENROLLMENT OF CHILDREN
SIXTEEN (16) YEARS OF AGE AND SEVENTEEN
(17) YEARS OF AGE IN ADULT EDUCATION
PROGRAMS.

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

*SECTION 1. Arkansas Code § 6-18-201(a)(4) and (5) concerning
compulsory attendance exceptions is amended to read as follows:*

*(4)(A) Any child ~~age sixteen (16) years of age or above~~ older
who is enrolled in an adult education program as provided for in subsection
(b) of this section or in the Arkansas National Guard Youth Challenge Program
is not subject to the attendance requirement.*

*(B) The requirements in subsection (b) of this section
shall not apply to the Arkansas National Guard Youth Challenge Program; ~~and.~~*

~~*(5) Any child age sixteen (16) or above enrolled in an adult
education program prior to June 13, 1994, under a waiver granted by the local*~~



~~school district who is currently attending the program is not subject to the attendance requirement.~~

SECTION 2. Arkansas Code § 6-18-201(b) concerning enrollment in adult education programs is amended to read as follows:

(b) A local school district may grant a waiver of the attendance requirement to any student ~~age sixteen (16) or seventeen (17) years of age~~ to enroll in an adult education program only after all of the following requirements have been met:

(1)(A) The student attends an alternative learning environment program before enrolling in an adult education program.

(B) If, after a formal assessment is conducted by the alternative learning environment program, it is determined that an adult education program is in the best interest of the student, the student may be referred to an adult education program;

~~(1)(2)~~ The student makes formal application to the school district for a waiver to enroll in an adult education program;

~~(2)(3)~~(A) After formal application and prior to any further action on the application, the student shall be administered either a test for adult basic education or a General Educational Development Practice Test under standardized testing conditions by a public school official designated by the school and shall score 8.5 grade level or above on the test for adult basic education or a minimum score of four hundred fifty (450) on each section and a minimum composite score of four hundred ninety (490) on the General Educational Development Practice Test.

(B) Provided, however, that the minimum test scores shall not be required of any student who is subject to the attendance requirement of this section but who was not enrolled in any school district during the previous school year;

~~(3)(4)~~ The student and the student's parents, guardians, or persons in loco parentis meet with the school counselor to discuss academic options open to the student;

~~(4)(5)~~ The school district determines that the student is a proper candidate for enrollment in adult education, contingent upon approval by the appropriate adult education program;

~~(5)(6)~~ The adult education program reviews the student's school

1 and testing records and agrees to admit the student into the adult education
2 program;

3 ~~(6)~~(7) The adult education program shall report attendance of
4 all sixteen-year-old and seventeen-year-old enrollees to the sending school
5 district on at least a monthly basis;

6 ~~(7)~~(8)(A) The adult education program shall require for
7 continued enrollment a minimum of twenty (20) hours per week of class
8 attendance and instruction.

9 (B) Provided, however, that a minimum of ten (10) hours
10 shall be required for any student who is employed for thirty (30) hours or
11 more each week;

12 ~~(8)~~(9) The student, the student's parents, guardians, or persons
13 in loco parentis, and the administrative head of the adult education program
14 agree in writing that the student will attend the requisite number of hours
15 per week and maintain appropriate conduct as outlined in the local adult
16 education program student handbook;

17 ~~(9)~~(10) In the event that a more appropriate assessment test or
18 testing and assessment mechanism shall be developed to determine a reasonable
19 level of competency for success at the adult education level, that test or
20 mechanism shall be substituted, with the approval of the Adult Education
21 Section of the Department of Workforce Education, for the tests required in
22 subdivision (b)(2) of this section;

23 ~~(10)~~(11) In the event that a student does not attend class as
24 mandated in this subsection or make reasonable progress toward the completion
25 of the adult education curriculum, the student shall reenroll in a public
26 school within five (5) days from the date the student is released from the
27 adult education program; and

28 ~~(11)~~(12) The requirements in this subsection (b) shall not apply
29 to students enrolled in a private, parochial, or home school in the state.

30
31 SECTION 3. Arkansas Code § 6-18-201(f) concerning enrollment in school
32 is amended to read as follows:

33 (f)(1) Any child who will be six (6) years of age on or before October
34 1 of the school year of enrollment and who has not completed a state-
35 accredited kindergarten program shall be evaluated by the school district and
36 may be placed in ~~the first~~ grade one (1) if the:

1 (A) ~~results~~ Results of the evaluation justify placement of
2 the child in this first grade one (1); and

3 (B) ~~the child's~~ Child's parent, guardian, or persons in
4 loco parentis ~~agrees~~ agree with placement of the child in the first grade one
5 (1).

6 (2) Otherwise, the child shall be placed in kindergarten.

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8
9 /s/ Rainey