

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Senator Hopkins

# A Bill

SENATE BILL 201

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 6-15-407 TO  
9 PROVIDE THE DEPARTMENT OF EDUCATION FLEXIBILITY IN  
10 ADMINISTERING THE OUTCOMES-BASED ASSESSMENT EXAMINATION;  
11 AND FOR OTHER PURPOSES."

## Subtitle

14 "PROVIDE THE DEPARTMENT OF EDUCATION  
15 FLEXIBILITY IN ADMINISTERING THE  
16 OUTCOMES-BASED ASSESSMENT EXAMINATION."

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

20 SECTION 1. Arkansas Code Annotated 6-15-407 is amended to read as  
21 follows:

22 "§ 6-15-407. Basic competency tests generally.

23 (a) Beginning with the 1996-97 school year, all *public school* students  
24 must successfully complete an outcome-based assessment examination in order  
25 to receive a high school diploma. The Director of the General Education  
26 Division of the Arkansas Department of Education shall have the authority,  
27 through rules and regulations, to extend the deadline by which students must  
28 successfully complete such examination in order to receive a high school  
29 diploma. However, all school districts must administer the examination  
30 beginning with the 1996-97 school year.

31 (b) Students may take this examination during the eleventh (11th) and/or  
32 twelfth (12th) grades.

33 (c) School districts shall develop academic improvement plans for each  
34 student who fails to pass this examination.

35 (d) However, students with disabilities, as defined by the Individuals

1 With Disabilities Education Act, must receive a high school diploma if they  
2 fulfill the requirements of their individual educational program.

3 (e)(1) Students with disabilities, as defined by Section 504 of the  
4 Rehabilitation Act of 1973, shall only be required to take this test if it  
5 appropriately measures the student's abilities.

6 (2) The local school district shall determine whether the assessment  
7 tool appropriately measures a student's abilities and whether a particular  
8 student must successfully pass the outcome-based assessment before receiving  
9 a high school diploma.

10 (f) The Department of Education is authorized to do any and all things  
11 necessary to develop an outcome-based assessment test and to cooperate with  
12 the General Educational Development Testing Service to fulfill the  
13 requirements of this section.

14 (g) For purposes of determining whether a General Educational  
15 Development (GED) test is an appropriate alternative to an outcome-based  
16 assessment, the State Board of Education shall establish a pilot program  
17 during the 1994-95 school year whereby GED tests will be administered to  
18 public high school seniors in a maximum of ten (10) Arkansas school districts  
19 that differ in location and in size and which agree to participate in the  
20 pilot program.

21 (h) The State Board of Education is authorized to promulgate rules and  
22 regulations to implement this program.

23 (i) Competency and outcome-based assessment means an age-appropriate  
24 test or assessment of student academic knowledge in science, arts,  
25 humanities, mathematics, history, social studies, language, communication,  
26 foreign language, physical education, health, technology, or related academic  
27 skills.

28 (j) Neither competency and outcome-based assessment nor any other  
29 assessment or testing procedure used in the public schools shall test or  
30 assess student religious beliefs, political beliefs, ethics, attitudes, or  
31 values.

32 (k) Public school testing or assessment of student self-esteem, mental  
33 health, emotional health, or home or family life shall not be permitted for  
34 the purpose of determining academic grades or high school graduation.

35 (l) The nonacademic assessment of student conduct for the purpose of

1 encouraging good behavior and decorum at school shall be permitted."  
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3 SECTION 2. All provisions of this act of a general and permanent  
4 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
5 Code Revision Commission shall incorporate the same in the Code.  
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7 SECTION 3. If any provision of this act or the application thereof to  
8 any person or circumstance is held invalid, such invalidity shall not affect  
9 other provisions or applications of the act which can be given effect without  
10 the invalid provision or application, and to this end the provisions of this  
11 act are declared to be severable.  
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13 SECTION 4. All laws and parts of laws in conflict with this act are  
14 hereby repealed.  
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17 */s/Hopkins*  
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