

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 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S3/22/01

A Bill

SENATE BILL 940

5 By: Senator Mahony
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For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS CODE REGARDING
10 REQUIREMENTS FOR ENROLLING IN AN ADULT EDUCATION
11 PROGRAM; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO AMEND THE ARKANSAS CODE
14 REGARDING REQUIREMENTS FOR ENROLLING IN
15 AN ADULT EDUCATION PROGRAM.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1 . Arkansas Code 6-18-201 is amended to read as follows:

22 6-18-201. Compulsory attendance - Exceptions.

23 (a) Under the penalty for noncompliance as shall be set by law, every
24 parent, guardian, or other person residing within the State of Arkansas
25 having custody or charge of any child age five (5) through seventeen (17)
26 years on or before September 15 of that year shall enroll and send the child
27 to a public, private, or parochial school or provide a home school for the
28 child, as described in § 6-15-501 et seq., with the following exceptions:

29 (1)(A) Any parent, guardian, or other person residing within the
30 state and having custody or charge of any child may elect for the child not
31 to attend kindergarten if the child will not be age six (6) on September 15
32 of that particular school year.

33 (B)(i) If an election is made, the parent, guardian, or
34 other person having custody or charge of the child must file a signed
35 kindergarten waiver form with the local district administrative office.

36 (ii) The form shall be prescribed by regulation of

1 the Department of Education.

2 (C) On filing the kindergarten waiver form, the child
3 shall not be required to attend kindergarten in that school year;

4 (2) Any child who has received a high school diploma or its
5 equivalent as determined by the State Board of Education is not subject to
6 the attendance requirement;

7 (3) Any child age sixteen (16) or above enrolled in a
8 postsecondary vocational -technical institution, a community college, or a
9 two-year or four-year institution of higher education is not subject to the
10 attendance requirement;

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

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

17 (5) Any child age sixteen (16) or above enrolled in an adult
18 education program prior to June 13, 1994, under a waiver granted by the local
19 school district who is currently attending the program is not subject to the
20 attendance requirement.

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

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

27 (2)(A) After formal application and prior to any further action
28 on the application, the student shall be administered either a test for adult
29 basic education or a general educational development pre-test under
30 standardized testing conditions by a secondary school counselor and shall
31 score 8.5 or above on the test for adult basic education or a minimum score
32 of 45 on each section and a minimum composite score of 49 on the pre-general
33 educational development test.

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

1 previous school year;

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

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

8 (5) The adult education program reviews the student's school and
9 testing records and agrees to admit the student into the program;

10 (6) The adult education program shall report attendance of all
11 sixteen-year-old and seventeen-year-old enrollees to the sending school
12 district on at least a monthly basis;

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

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

19 (8) The student, the student's parents, guardians, or persons in
20 loco parentis, and the administrative head of the adult education program
21 agree in writing that the student will attend the requisite number of hours
22 per week and maintain appropriate conduct as outlined in the local adult
23 education program student handbook;

24 (9) In the event that a more appropriate assessment test or
25 testing and assessment mechanism shall be developed to determine a reasonable
26 level of competency for success at the adult education level, that test or
27 mechanism shall be substituted, with the approval of the Adult Education
28 Section of the Department of Workforce Education, for the tests required in
29 subdivision (b)(2) of this section; ~~and~~

30 (10) In the event that a student does not attend class as
31 mandated in this subsection (b) or make reasonable progress toward the
32 completion of the adult education curriculum, the student shall re-enroll in
33 the public schools within five (5) days from the date the student is released
34 from the adult education program-; and

35 (11) The above requirements shall not apply to students enrolled
36 in a private, parochial, or home school in the state.

1 (c) Students age sixteen (16) or seventeen (17), enrolled in a
2 private, parochial or home school who desire to enroll in an adult education
3 program shall meet the following requirements:

4 (1)(A) Students shall apply for enrollment to the adult
5 education program;

6 (B) A student enrolled in a private or parochial school
7 shall provide a letter from the principal or administrator of the private or
8 parochial school to verify enrollment;

9 (C) A student that is home schooled shall provide a
10 notarized copy of the notice of intent to home school provided to the
11 superintendent of the local school district as required by § 6-15-503;

12 (2) The student and the student's parents, guardians, or persons
13 in loco parentis shall meet with the appropriate staff of the adult education
14 program to discuss academic options open to the student;

15 (3) The adult education program administrators shall review the
16 student's school and testing records prior to allowing admission to an adult
17 education program;

18 (4)(A) Except as provided in subdivision (c)(4)(B), the adult
19 education program shall require, for continued enrollment, a minimum of
20 twenty (20) hours per week of class attendance and instruction;

21 (B) A minimum of ten (10) hours shall be required for any
22 student who is employed for thirty (30) hours or more each week;

23 (5) The student, the student's parents, guardians, or persons in
24 loco parentis, and the administrative head of the adult education program
25 agree in writing that the student will attend the requisite number of hours
26 per week and maintain appropriate conduct as outlined in the local adult
27 education program student handbook;

28 (6) In the event a student does not attend class as mandated in
29 this subsection or make reasonable progress toward the completion of the
30 adult education curriculum, the student shall re-enroll in either a public,
31 private, parochial or home school within five (5) days from the date the
32 student is released from the adult education program;

33 (7) If a home school student is accepted into the adult
34 education program, the student's parent, guardian or person standing in loco
35 parentis shall send written notification to the local public school
36 superintendent of their intent to participate in the adult education program;

1 and

2 (d) Students age sixteen (16) or above, enrolled in a private,
3 parochial or home school who desire to take the general education development
4 test shall meet the following requirements:

5 (1) Students shall not be required to obtain permission or
6 approval from any official in a public school district before being allowed
7 to take the test;

8 (2) A students enrolled in a private or parochial school shall
9 provide a letter from the principal or administrator of the private or
10 parochial school to verify enrollment;

11 (3) A student enrolled in a home school shall provide a
12 notarized copy of the notice of intent to home school provided to the
13 superintendent of the local school district as required by § 6-15-503.

14 ~~(e)~~(e) Any child who will be six (6) years of age on or before October
15 1 of the school year of enrollment and who has not completed a state-
16 accredited kindergarten program shall be evaluated by the district and placed
17 either in the first grade or kindergarten depending upon the results of the
18 evaluation.

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20 /s/ Mahony
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