

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/15/11

A Bill

HOUSE BILL 1995

5 By: Representative McLean
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For An Act To Be Entitled

8 AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
9 CONCERNING EXCESSIVE STUDENT ABSENCES FROM PUBLIC
10 SCHOOL; AND FOR OTHER PURPOSES.
11

Subtitle

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14 TO AMEND PROVISIONS OF THE ARKANSAS CODE
15 CONCERNING EXCESSIVE STUDENT ABSENCES
16 FROM PUBLIC SCHOOL.
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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 § 6-18-209 is amended to read as follows:*

22 *6-18-209. Adoption of student attendance policies – Effect of*
23 *excessive absences.*

24 *(a) The board of directors of each school district in this state shall*
25 *adopt student attendance policies.*

26 *(b) Each school district ~~shall~~, as a part of its six-year educational*
27 *plan, shall develop strategies for promoting maximum student attendance,*
28 *including, but not limited to, the use of alternative classrooms and in-*
29 *school suspensions in lieu of suspension from school.*

30 *(c) A student attendance policy may include excessive ~~unexcused~~*
31 *absences as a mandatory basis for denial of promotion or graduation.*
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33 *SECTION 2. Arkansas Code § 6-18-222(a)(4) and (5), concerning the*
34 *penalty for excessive absences, is amended to read as follows:*

35 *(4)(A) A student's parents, guardians, or persons in loco*
36 *parentis, and the community truancy board shall be notified when the student*



1 has accumulated excessive ~~unexcused~~ absences equal to one-half ($\frac{1}{2}$) the total
2 number of absences permitted per semester under the school district's or the
3 board's student attendance policy. Notice shall be by telephonic contact with
4 the student's parents, guardians, or persons in loco parentis by the end of
5 the school day in which the absence occurred or by regular mail with a return
6 address on the envelope sent no later than the following school day. Notice
7 to the community truancy board shall be by letter to the chair of the
8 community truancy board.

9 (B) The community truancy board shall schedule a
10 conference with the parents, guardians, or persons in loco parentis to
11 establish a plan to take steps to eliminate or reduce the student's ~~unexcused~~
12 absences.

13 (C) If the student's parents, guardians, or persons in
14 loco parentis do not attend the scheduled conference, the conference may be
15 conducted with the student and a school official. However, the parent,
16 guardian, or person in loco parentis shall be notified of the steps to be
17 taken to eliminate or reduce the child's ~~absence~~ absences.

18 (5)(A) ~~Whenever~~ When a student exceeds the number of excessive
19 ~~unexcused~~ absences provided for in the district's or the board's student
20 attendance policy, the school district or the adult education program shall
21 notify the prosecuting authority and the community truancy board, and the
22 student's parents, guardians, or persons in loco parentis shall be subject to
23 a civil penalty through a family in need of services action in circuit court,
24 as authorized under subdivision (a)(6)(A) of this section, but not to exceed
25 five hundred dollars (\$500) plus costs of court and any reasonable fees
26 assessed by the court.

27 (B) The penalty shall be forwarded by the court to the
28 school or the adult education program attended by the student.

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30 /s/McLean
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