1	State of Arkansas	As Engrossed: S2	2/24/11		
2	88th General Assembly	A Bil	l		
3	Regular Session, 2011		SENATE BILL 339		
4					
5	By: Senator Crumbly				
6					
7	For An Act To Be Entitled				
8	AN ACT TO ESTABLISH THE DIVISION OF YOUTH SERVICES				
9	REGIONAL HIGH SCHOOL SYSTEM FOR ADJUDICATED YOUTH;				
10	AND FOR OTHER PURPOSES.				
11					
12					
13		Subtitle			
14	TO ESTA	BLISH THE DIVISION	OF YOUTH		
15	SERVICE	S REGIONAL HIGH SCH	HOOL SYSTEM FOR		
16	ADJUDICATED YOUTH.				
17					
18					
19	BE IT ENACTED BY THE GENE	ERAL ASSEMBLY OF TH	IE STATE OF ARKANSAS:		
20					
21	SECTION 1. Arkansa	as Code § 9-28-203(b)(8) and (9), concerning the		
22	powers and duties of the Division of Youth Services, is amended to read as				
23	follows:				
24	(8)(A)	(i) Community-base	d alternative basic services shall		
25	consist of, but not be li	imited to, preventi	on, intervention, casework,		
26	treatment, counseling, of	oservation and asse	essment, case management, and		
27	residential services.				
28	((ii) Primary goals	for community-based alternative		
29	basic services shall be t	the prevention of y	ouths from entering the juvenile		
30	justice system and the pr	rovision of profess	cional, community-based, least-cost		
31	services to youths.				
32	(B) Th	nese services shall	be acquired by agreements with		
33	local community providers	s or other agencies	or individuals deemed		
34	professionally capable an	nd appropriate to d	leliver such services; and		
35	(9)(A) Expar	nded services may c	consist of, but not be limited to:		
36	((i) Expansion of e	existing programs;		

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1	(ii) Specific programs for alcohol, drug, or sex		
2	offenders;		
3	(iii) Special therapeutic treatment programs or		
4	client-specific services in which a consistent population has been defined as		
5	in need of multidisciplinary care and services; and		
6	(iv) Expansion of proven, effective, early		
7	intervention and prevention program activities.		
8	(B) Utilization of funds appropriated for expanded		
9	services shall be as directed by the director+; and		
10			
11	SECTION 2. Arkansas Code § 9-28-203, concerning the powers and duties		
12	of the Division of Youth Services, is amended to add an additional		
13	subdivision to read as follows:		
14	(10) The Division of Youth Services Regional High School System		
15	for Adjudicated Youth operated under § 9-28-218.		
16			
17	SECTION 3. Arkansas Code Title 9, Chapter 28, Subchapter 2 is amended		
18	to add an additional section to read as follows:		
19	9-28-218. Regional High School System for Adjudicated Youth.		
20	(a) As used in this section:		
21	(1) "Juvenile" means an individual who is:		
22	(A) Fourteen (14) to nineteen (19) years of age; and		
23	(B) An adjudicated delinquent by the juvenile division of		
24	a circuit court, and either:		
25	(i) The court retains jurisdiction over the		
26	juveniles; or		
27	(ii) The juvenile is committed to the Division of		
28	Youth Services of the Department of Human Services where residential		
29	placement is not required.		
30	(2) "Regional high school for adjudicated youth" means a high		
31	school operated by the division that provides the educational and support		
32	services required for delinquents adjudicated delinquents in grades nine (9)		
33	through twelve (12).		
34	(b)(1) The division shall operate a regional high school system for		
35	adjudicated youth that conforms to the guidelines established by the		
36	Department of Education.		

1	(2)(A) The regional high school system for adjudicated youth may		
2	consist of at least one (1) but no more than five (5) regional high schools		
3	for adjudicated youth.		
4	(B) Beginning in the 2011-2012 school year one (1) pilot		
5	regional high school for adjudicated youth shall be opened in Marianna,		
6	Arkansas.		
7	(2) Transportation for juveniles enrolled in a regional high		
8	school for adjudicated youth shall be provided by the division.		
9	(3) The division may elect to apply for a conversion charter		
10	after a regional high school for adjudicated youth has successfully operated		
11	for a minimum of one (1) year.		
12	(c) A regional high school for adjudicated youth shall offer:		
13	(1) At least, the minimum twenty-two (22) credit curriculum		
14	required to obtain a diploma;		
15	(2) Vocational education and certificates, including:		
16	(A)(i) Automotive technology.		
17	(ii) An automotive technology program shall not be		
18	required until the 2016-2017 school year;		
19	(B) Building technology;		
20	<pre>(C) Computer technology;</pre>		
21	(D)(i) Cosmetology and Barbering.		
22	(ii) Barbering courses offered at a regional high		
23	school for adjudicated youth shall be exempt from § 17-20-401 et. seq.;		
24	(E) Culinary arts;		
25	(F) Heating, ventilation, and air conditioning;		
26	(G) Medical professions; and		
27	(H) Welding.		
28	(3) Career education services, including the General Educational		
29	Development Test;		
30	(4) Special education services; and		
31	(5) Support services.		
32	(d)(1) A juvenile may attend a regional high school for adjudicated		
33	youth under one (1) or more of the following conditions:		
34 25	(A) Under a court order;		
35	(B) As part of an aftercare program; or		
36	(C) As part of the conditions of probation.		

1	(2) A juvenile may reenroll at the regional high school for			
2	adjudicated youth if the juvenile:			
3	(A) Was previously enrolled at a regional high school for			
4	adjudicated youth; and			
5	(B) Is released from the custody of the division under §			
6	9-28-210.			
7	(3) A juvenile may not enroll or reenroll at a regional high			
8	school:			
9	(A) While committed to the division and placed in a			
10	residential facility; or			
11	(B) If the juvenile is an extended juvenile jurisdiction			
12	offender.			
13	(4) The juvenile record of a juvenile who successfully graduates			
14	or completes a program of education provided by a regional high school for			
15	adjudicated youth shall be sealed.			
16	(e) A retired licensed teacher, who is employed by a regional high			
17	school for adjudicated youth, may continue to receive full retirement			
18	benefits from the Arkansas Teacher Retirement System under § 24-7-708 while			
19	employed by a regional high school for adjudicated youth.			
20				
21	SECTION 4. Arkansas Code § 17-26-418(c), concerning cosmetology			
22	courses in public schools, is amended to read as follows:			
23	(c) $\underline{(1)(A)}$ Each \underline{A} person who successfully completes the courses in			
24	cosmetology given in a school under the public school system of this state is			
25	eligible for a license under this chapter the same as though he or she had			
26	graduated from a licensed private school of cosmetology approved by the State			
27	Board of Health.			
28	(B) A student enrolled in a regional high school under §			
29	9-28-218 may participate in courses in cosmetology upon enrollment in the			
30	regional high school, regardless of grade level.			
31	(2) For this purpose, successful Successful completion of			
32	courses in cosmetology given in \underline{a} public—schools school that are equal to an			
33	the equivalent of the courses required to be given in \underline{a} licensed private			
34	schools school of cosmetology approved by the State Board of Health shall be			
35	deemed to be the fulfillment fulfill of the requirements of this chapter in			
36	regard to completion of courses in a licensed schools school of cosmetology			

1 approved by the State Board of Health.

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- 3 SECTION 5. Arkansas Code § 24-7-708 is amended to read as follows:
- 4 24-7-708. Employment of retired members by covered employers or a
- 5 regional high school for adjudicated youth.
- 6 (a) Effective July 1, 2009, after terminating employment under § 24-7-7 502 or reaching the age of normal retirement, a retirant may:
- 8 (1) Accept employment with an employer covered by the Arkansas
- 9 Teacher Retirement System without a limitation of his or her retirement
- 10 annuity; and
- 11 (2) Continue to receive his or her monthly retirement annuity.
- 12 (b) Effective July 1, 2011, after terminating employment under § 24-7-
- 13 502 or reaching the normal age of retirement, a retirant may:
- 14 (1) Accept employment with an employer covered by the Arkansas
- 15 Teacher Retirement System or a regional high school for adjudicated youth
- 16 under § 9-28-218 without a limitation of his or her retirement annuity; and
- 17 (2) Continue to receive his or her monthly retirement annuity.
- 18 <u>(c)</u> Employers covered by the system that hire an employee who meets
- 19 the conditions under subsection subsections (a) and (b) of this section shall
- 20 report the hiring of the retirant to the system in a time and a manner that
- 21 the system may reasonably require.
- (c)(d) A retirant who receives monthly benefits and is employed by a
- 23 covered employer or a regional high school for adjudicated youth shall not
- 24 accrue additional service credit.
- 25 $\frac{(d)(e)}{(1)}$ For a retired member employed in a position covered by the
- 26 system, the covered employer shall remit the contributions on all salary paid
- 27 to the retirant in an amount equal to the employer contribution rate
- 28 applicable to active members.
- 29 (2) Contributions shall be paid by the employer and are not the
- 30 responsibility of the retirant.
- 31 $\frac{\text{(e)}(f)}{\text{(1)}}$ The Board of Trustees of the Arkansas Teacher Retirement
- 32 System shall adopt rules to carry out the provisions of this section.
- 33 (2) A covered employer that employs retirants is subject to the
- 34 rules adopted by the board.

35 36

/s/Crumbly