

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

As Engrossed: S2/24/11 S3/21/11

A Bill

SENATE BILL 339

5 By: Senator Crumbly
6

For An Act To Be Entitled

8 AN ACT TO ESTABLISH THE REGIONAL *EDUCATIONAL CAREER*
9 *ALTERNATIVE SCHOOL* FOR ADJUDICATED YOUTH; AND FOR
10 OTHER PURPOSES.
11

Subtitle

12
13 *TO ESTABLISH THE REGIONAL EDUCATIONAL*
14 *CAREER ALTERNATIVE SCHOOL FOR ADJUDICATED*
15 *YOUTH.*
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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 Title 6, Chapter 11, Subchapter 2 is amended*
22 *to add an additional section to read as follows:*

23 *6-11-208. Regional Educational Career Alternative School.*

24 *(a) As used in this section:*

25 *(1) "Juvenile" means an individual who is:*

26 *(A) Fourteen (14) to nineteen (19) years of age; and*

27 *(B) An adjudicated delinquent by the juvenile division of*
28 *a circuit court, and either:*

29 *(i) The court retains jurisdiction over the*
30 *juveniles; or*

31 *(ii) The juvenile is committed to the Division of*
32 *Youth Services of the Department of Human Services where residential*
33 *placement is not required.*

34 *(2) "Regional school for adjudicated youth" means a campus of*
35 *the Regional Educational Career Alternative School operated by the Department*
36 *of Career Education that provides educational and support services required*



1 for delinquents adjudicated delinquents in grades nine (9) through twelve
2 (12).

3 (b)(1) The Department of Career Education shall operate the Regional
4 Educational Career Alternative School for adjudicated youth that conforms to
5 the guidelines established by the Department of Education.

6 (2)(A) The Regional Educational Career Alternative School for
7 adjudicated youth may consist of at least one (1) but no more than five (5)
8 regional schools for adjudicated youth.

9 (B) Beginning in the 2011-2012 school year one (1) pilot
10 regional school for adjudicated youth shall be opened in Marianna, Arkansas.

11 (3) Transportation for juveniles enrolled in a regional school
12 for adjudicated youth shall be provided.

13 (4) The Department of Career Education may elect to apply for
14 an open-enrollment charter after a regional school for adjudicated youth has
15 successfully operated for a minimum of one (1) year.

16 (5) The Department of Career Education may accept financial
17 assistance for the Regional Educational Career Alternative School from other
18 state agencies, federal agencies, not-for-profit groups, and foundations,
19 including without limitation from the:

20 (A) Department of Workforce Services;

21 (B) Division of Youth Services of the Department of Human
22 Services; and

23 (C) Department of Education.

24 (c) A regional school for adjudicated youth shall offer, without
25 limitation:

26 (1) At least, the minimum twenty-two (22) credit curriculum
27 required to obtain a diploma;

28 (2) Vocational education and certificates, including:

29 (A)(i) Automotive technology.

30 (ii) An automotive technology program shall not be
31 required until the 2016-2017 school year;

32 (B) Building technology;

33 (C) Computer technology;

34 (D)(i) Cosmetology and Barbering.

35 (ii) Barbering courses offered at a regional high
36 school for adjudicated youth shall be exempt from § 17-20-401 et. seq.;

1 (E) Culinary arts;

2 (F) Heating, ventilation, and air conditioning;

3 (G) Medical professions; and

4 (H) Welding.

5 (3) Career education services, including the General Educational
6 Development Test;

7 (4) Special education services; and

8 (5) Support services, including without limitation alcohol and
9 drug rehabilitation services.

10 (d)(1) A juvenile may attend a regional school for adjudicated youth
11 under one (1) or more of the following conditions:

12 (A) Under a court order;

13 (B) As part of an aftercare program; or

14 (C) As part of the conditions of probation.

15 (2) A juvenile may reenroll at the regional school for
16 adjudicated youth if the juvenile:

17 (A) Was previously enrolled at a regional school for
18 adjudicated youth; and

19 (B) Is released from the custody of the division under §
20 9-28-210.

21 (3) A juvenile may not enroll or reenroll at a regional school
22 for adjudicated youth:

23 (A) While committed to the division and placed in a
24 residential facility; or

25 (B) If the juvenile is an extended juvenile jurisdiction
26 offender.

27 (4) The juvenile record of a juvenile who successfully graduates
28 or completes a program of education provided by a regional school for
29 adjudicated youth shall be sealed.

30 (e) A retired licensed teacher, who is employed by a regional school
31 for adjudicated youth, may continue to receive full retirement benefits from
32 the Arkansas Teacher Retirement System under § 24-7-708 while employed by a
33 regional school for adjudicated youth.

34

35 *SECTION 2.* Arkansas Code § 17-26-418(c), concerning cosmetology
36 courses in public schools, is amended to read as follows:

1 (c)(1)(A) ~~Each~~ A person who successfully completes the courses in
 2 cosmetology given in a ~~school under the public school system~~ of this state is
 3 eligible for a license under this chapter the same as though he or she had
 4 graduated from a licensed private school of cosmetology approved by the State
 5 Board of Health.

6 (B) A student enrolled in a regional school under §
 7 6-11-208 may participate in courses in cosmetology upon enrollment in the
 8 regional school, regardless of grade level.

9 (2) ~~For this purpose, successful~~ Successful completion of
 10 courses in cosmetology given in a public-schools school that are equal to and
 11 the equivalent of the courses required to be given in a licensed private
 12 ~~schools~~ school of cosmetology approved by the State Board of Health shall ~~be~~
 13 ~~deemed to be the fulfillment~~ fulfill of the requirements of this chapter in
 14 regard to completion of courses in a licensed ~~schools~~ school of cosmetology
 15 approved by the State Board of Health.

16
 17 *SECTION 3.* Arkansas Code § 24-7-708 is amended to read as follows:

18 24-7-708. Employment of retired members by covered employers or a
 19 regional school for adjudicated youth.

20 (a) Effective July 1, 2009, after terminating employment under § 24-7-
 21 502 or reaching the age of normal retirement, a retirant may:

22 (1) Accept employment with an employer covered by the Arkansas
 23 Teacher Retirement System without a limitation of his or her retirement
 24 annuity; and

25 (2) Continue to receive his or her monthly retirement annuity.

26 (b) Effective July 1, 2011, after terminating employment under § 24-7-
 27 502 or reaching the normal age of retirement, a retirant may:

28 (1) Accept employment with an employer covered by the Arkansas
 29 Teacher Retirement System or a regional school for adjudicated youth under §
 30 6-11-208 without a limitation of his or her retirement annuity; and

31 (2) Continue to receive his or her monthly retirement annuity.

32 (c) Employers ~~covered by the system~~ that hire an employee who meets
 33 the conditions under ~~subsection~~ subsections (a) and (b) of this section shall
 34 report the hiring of the retirant to the system in a time and a manner that
 35 the system may reasonably require.

36 ~~(e)~~(d) A retirant who receives monthly benefits and is employed by a

1 covered employer or a regional school for adjudicated youth shall not accrue
2 additional service credit.

3 ~~(d)~~(e)(1) For a retired member employed in a position covered by the
4 system, the covered employer shall remit the contributions on all salary paid
5 to the retirant in an amount equal to the employer contribution rate
6 applicable to active members.

7 (2) Contributions shall be paid by the employer and are not the
8 responsibility of the retirant.

9 ~~(e)~~(f)(1) The Board of Trustees of the Arkansas Teacher Retirement
10 System shall adopt rules to carry out the provisions of this section.

11 (2) A covered employer that employs retirants is subject to the
12 *rules adopted by the board.*

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14 *SECTION 4. Arkansas Code § 9-27-323(e), concerning diversion*
15 *agreements, is amended to add an additional subdivision to read as follows:*

16 *(e) Diversion agreements shall be limited to providing for:*

17 *(1) Nonjudicial probation under the supervision of the intake*
18 *officer or probation officer for a period during which the juvenile may be*
19 *required to comply with specified conditions concerning his or her conduct*
20 *and activities;*

21 *(2) Participation in a court-approved program of education,*
22 *counseling, or treatment;*

23 *(3) Participation in a court-approved teen court; ~~and~~*

24 *(4) Participation in a juvenile drug court program; and*

25 *(5) Enrollment in the Regional Educational Career Alternative*
26 *School.*

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28 /s/Crumbley
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