

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

A Bill

SENATE BILL 81

4
5 By: Senator J. Jeffress

For An Act To Be Entitled

8 AN ACT TO IMPROVE THE EFFECTIVENESS OF PUBLIC SCHOOL
9 ALTERNATIVE LEARNING ENVIRONMENTS; AND FOR OTHER
10 PURPOSES.

Subtitle

14 TO IMPROVE THE EFFECTIVENESS OF PUBLIC
15 SCHOOL ALTERNATIVE LEARNING
16 ENVIRONMENTS.

17
18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code § 6-18-508 and § 6-18-509 are repealed.

22 ~~6-18-508. Alternative learning environment.~~

23 ~~(a) Every school district shall establish an alternative learning~~
24 ~~environment that shall afford students an environment conducive to learning.~~

25 ~~(b) The alternative learning environment required by this section may~~
26 ~~be established by more than one (1) school district or may be operated by an~~
27 ~~education service cooperative established under The Education Service~~
28 ~~Cooperative Act of 1985, § 6-13-1001 et seq.~~

29 ~~(c) The Department of Education shall establish criteria for teacher~~
30 ~~preparation for alternative learning environments, which shall include~~
31 ~~inservice training.~~

32 ~~(d)(1)(A) Each school district shall report on a yearly basis to the~~
33 ~~department the race, gender, and other pertinent information regarding~~
34 ~~alternative learning environment attendees.~~

35 ~~(B) This information shall be reported by the department~~
36 ~~to the Joint Interim Oversight Subcommittee on Educational Reform by~~



1 ~~September 15 of each year.~~

2 ~~(2) The Arkansas Pygmalion Commission on Nontraditional~~
3 ~~Education will also report its findings by the same time each year to the~~
4 ~~same legislative body.~~

5
6 ~~6-18-509. Assessment and intervention in alternative learning~~
7 ~~environments.~~

8 ~~(a) As used in this section, "intervention services" means activities~~
9 ~~within or outside a school that will eliminate traditional barriers to~~
10 ~~learning.~~

11 ~~(b) An Arkansas school district electing to operate an alternative~~
12 ~~class or school should provide for:~~

13 ~~(1) Student assessment either before or upon entry into the~~
14 ~~class or school; and~~

15 ~~(2) Intervention services designed to address the specific~~
16 ~~educational needs of individual students.~~

17 ~~(c) A student assigned to an alternative class or school for~~
18 ~~behavioral reasons must receive intervention services designed to address the~~
19 ~~student's behavioral problems. Such intervention services shall not be~~
20 ~~punitive in nature but must be designed for long-term improvement of the~~
21 ~~student's ability to control his or her behavior.~~

22 ~~(d) Along with its annual report to the Department of Education, a~~
23 ~~school district shall submit an assurance statement that it is in compliance~~
24 ~~with the establishment of an alternative learning environment.~~

25 ~~(e) The department shall work with alternate classes and schools in~~
26 ~~assisting them in complying with the provisions of this section.~~

27 ~~(f) The department shall periodically, but not less often than every~~
28 ~~three (3) years, monitor each school district or cooperative to ensure that~~
29 ~~alternative learning environments have been established, are conducive to~~
30 ~~learning, and are providing intervention services designed to address~~
31 ~~individual needs of students.~~

32 ~~(g) A school district that does not comply with these provisions shall~~
33 ~~be identified each year in the department's annual school district report~~
34 ~~card.~~

35
36 SECTION 2. Arkansas Code § 6-20-2303(2)(B), concerning the definition

1 of alternative learning environments for the purpose of public school
2 funding, is amended to read as follows:

3 (B) The State Board of Education shall promulgate rules
4 that:

5 (i) ~~explicate not only which~~ Explain how alternative
6 learning environment programs ~~shall~~ qualify for funding, ~~but also; and~~

7 (ii) Identify the characteristics of students who
8 ~~qualify for funding because they have been placed in~~ may be counted for the
9 purpose of funding an alternative learning environment program under this
10 section, including without limitation that a student is educated in the
11 alternative learning environment for a minimum of twenty (20) consecutive
12 days;

13
14 SECTION 3. Arkansas Code Title 6 is amended to add an additional
15 chapter to read as follows:

16 Chapter 48

17 Alternative Learning Environments

18
19 6-48-101. Definitions.

20 As used in this chapter:

21 (1)(A)(i) "Alternative learning environment" means an alternate
22 class or school that affords students in kindergarten through grade twelve
23 (K-12) an environment that seeks to eliminate barriers to learning for
24 students whose academic and social progress are negatively affected by the
25 student's personal characteristics or situation.

26 (ii) The Department of Education shall by rule more
27 fully define the student's personal characteristics and situations applicable
28 under this chapter.

29 (B) An alternative learning environment is not a punitive
30 environment but one that is conducive to learning; and

31 (2) "Intervention services" means activities within or outside a
32 school that will eliminate traditional barriers to learning.

33
34 6-48-102. Alternative learning environment required -- Reporting.

35 (a)(1) A school district shall provide one (1) or more alternative
36 learning environments for students in kindergarten through grade twelve (K-

1 12) who meet the minimum criteria established by the Department of Education.

2 (2) A school district complies with this section if the school
3 district provides an alternative learning environment by one (1) or more of
4 the following methods:

5 (A) Establishes and operates an alternative learning
6 environment;

7 (B) Cooperates with one (1) or more other school districts
8 to establish and operate an alternative learning environment; or

9 (C) Uses an alternative learning environment operated by
10 an education service cooperative established under The Education Service
11 Cooperative Act of 1985, § 6-13-1001 et seq.

12 (b) Annually, a school district shall submit to the department:

13 (1) Information on race and gender of the students educated in
14 the alternative learning environment;

15 (2) Any other information regarding students educated in
16 alternative learning environments that the department requires by rule; and

17 (3) An assurance statement that the school district is in
18 compliance with this chapter.

19
20 6-48-103. Assessment and intervention services.

21 (a) An alternative learning environment shall:

22 (1) Assess a student either before or upon entry into the
23 alternative learning environment; and

24 (2) Provide intervention services designed to address a
25 student's specific educational needs.

26 (b)(1) A student assigned to an alternative learning environment for
27 behavioral reasons shall receive intervention services designed to address
28 the student's behavioral problems.

29 (2) The intervention services shall not be punitive in nature
30 but shall be designed for long-term improvement of the student's ability to
31 control his or her behavior.

32
33 6-48-104. Department of Education responsibilities.

34 (a) The Department of Education shall promulgate rules to implement
35 this chapter, including without limitation rules that establish:

36 (1)(A) Criteria for teacher training for teachers in alternative

1 learning environments, including without limitation:

2 (i) In-service training in classroom management; and

3 (ii) Training in additional areas related to the

4 specific needs and characteristics of students who are educated in

5 alternative learning environments.

6 (B) Upon a teacher's successful completion of training

7 approved or provided by the department under this subdivision (a)(1), the

8 department shall award professional development credit for the training; and

9 (2) Measures of effectiveness for alternative learning

10 environments that measure:

11 (A) For all students educated in the alternative learning

12 environment:

13 (i) The effect on school performance;

14 (ii) The decrease in the need for intervention; and

15 (iii) The dropout rate; and

16 (B) Any other characteristic of alternative learning

17 environments deemed necessary by the department.

18 (b)(1) Periodically, but not less often than every three (3) years,

19 the department shall evaluate each alternative learning environment to ensure

20 that the alternative learning environment is:

21 (A) Established and operated in compliance with this

22 chapter; and

23 (B) Effective under the measurements established by the

24 department under this section.

25 (2) The department shall identify a school district's

26 noncompliance with this chapter on the school district's annual report card.

27 (c) The department shall identify information concerning best

28 practices for educating students in alternative learning environments and

29 disseminate that information to teachers and administrators working in

30 alternative learning environments.

31 (d) Annually by September 15 the department shall provide to the House

32 Interim Committee on Education and the Senate Interim Committee on Education

33 a report on:

34 (1) The information reported to it under § 6-48-102; and

35 (2) The effectiveness of alternative learning environments

36 operated under this chapter.

1
2 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
3 General Assembly of the State of Arkansas that it is the constitutional
4 obligation of the state to ensure that the state's public school children
5 receive an equal opportunity for an adequate education; that to ensure that
6 opportunity, it is essential that the state's public schools and education
7 service cooperatives operate effective alternative learning environments;
8 that the immediate effectiveness of this bill is necessary for the
9 implementation of the funding changes and for the public schools and
10 education service cooperatives to operate effective alternative learning
11 environments under this bill throughout the state by the 2011-2012 school
12 year; and that any delay in the effective date of this act could work
13 irreparable harm to the quality of education available to students who are
14 educated in alternative learning environments in this state. Therefore, an
15 emergency is declared to exist and this act being necessary for the
16 preservation of the public peace, health, and safety shall become effective
17 on July 1, 2011.

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36