

1 State of Arkansas *As Engrossed: S2/18/15 S3/10/15 S3/12/15 H3/27/15*

2 90th General Assembly

# A Bill

3 Regular Session, 2015

SENATE BILL 154

5 By: Senators D. Johnson, *J. English, J. Hendren*

6 By: Representative Lowery

## For An Act To Be Entitled

9 AN ACT TO ESTABLISH ADULT EDUCATION CHARTER SCHOOLS;  
10 AND FOR OTHER PURPOSES.

### Subtitle

14 TO ESTABLISH ADULT EDUCATION CHARTER  
15 SCHOOLS.

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

20 *SECTION 1. Arkansas Code § 6-23-103, concerning definitions, is*  
21 *amended to add an additional subdivision to read as follows:*

22 *(1) "Adult education charter school" means a charter school for*  
23 *individuals at least nineteen (19) years of age that offers a high school*  
24 *diploma program and an industry certification program simultaneously to*  
25 *students;*

27 *SECTION 2. Arkansas Code Title 6, Chapter 23, is amended to add an*  
28 *additional subchapter to read as follows:*

#### *Subchapter 10 – Adult Education Charter School*

32 *6-23-1001. Application for adult education charter school.*

33 *(a)(1) A eligible entity may apply to the authorizer for adult*  
34 *education charter school status for an adult education program that offers a*  
35 *curriculum that culminates in:*

36 *(A) A high school diploma; and*



1 (B) An industry certification.

2 (2) An adult education charter school shall be recognized by the  
3 State Board of Education as an open-enrollment public charter school.

4 (3) An adult education charter school does not count toward the  
5 cap for open-enrollment public charter schools under § 6-23-304(c).

6 (b) A nonprofit entity's application for an adult education charter  
7 school shall include, without limitation a:

8 (1) History of the nonprofit entity's success in providing  
9 education services, including industry certifications and job placement  
10 services, to adults eighteen (18) years of age and older whose educational  
11 and training opportunities have been limited by educational disadvantages,  
12 disabilities, homelessness, criminal history, or similar circumstances;

13 (2)(A) Pledge to commit at least one million dollars  
14 (\$1,000,000) to the adult education charter school, if approved.

15 (B) Up to twenty-five percent (25%) of the commitment may  
16 be in-kind;

17 (3) Description of any partnership with a state-supported two-  
18 year institution of higher education, if anticipated;

19 (4)(A) Description of testimony from a public hearing in the  
20 community where the adult education charter school is planned.

21 (B) A copy of the notice of the public hearing that  
22 documents that the notice was published in a newspaper having general  
23 circulation in the community where the adult education charter school is  
24 planned at least three (3) weeks before the date of the public hearing;

25 (5) Comprehensive plan of how the adult education charter school  
26 will meet the industry needs for a sufficiently trained workforce in the  
27 state;

28 (6) Strategy for engaging the community, including business  
29 leaders, in carrying out the goals and objectives of the adult education  
30 charter school;

31 (7) Description of the proposed performance criteria that will  
32 be used during the initial five-year period of the charter to measure the  
33 progress of the adult education charter school in meeting the industry needs  
34 for a sufficiently trained workforce in the state;

35 (8) Detailed budget and governance plan for the operation of the  
36 adult education charter school; and

1 (9) List of any specific state laws or rules of the State Board  
2 of Education from which the adult education public charter wishes to be  
3 exempt with an explanation of why the exemption is needed.

4  
5 6-23-1002. Authorization for adult education public charter.

6 The authorizer shall review the application for an adult education  
7 public charter school pilot program and may approve an application that:

8 (1) Provides an acceptable plan for meeting the industry needs  
9 for a sufficiently trained workforce in the state;

10 (2) Includes a set of performance criteria objectives for the  
11 terms of the charter and the means for measuring the performance criteria  
12 objectives on a yearly basis;

13 (3) Includes a comprehensive strategy for engaging the  
14 community, including business leaders, in the process of meeting the goals  
15 and objectives of the charter;

16 (4) Includes an agreement to provide an annual report to the  
17 community that indicates the progress made by the adult education charter  
18 school in meeting the performance criteria objectives during the previous  
19 year; and

20 (5) Includes an appropriate budget and governance plan.

21  
22 6-23-1003. Resubmission of applications.

23 (a) The authorizer may allow an applicant to resubmit the application  
24 for an adult education charter school if the original application was, in the  
25 opinion of the authorizer, deficient in one (1) or more respects.

26 (b) The Department of Education may provide technical assistance to  
27 the adult education charter school applicant in the creation or modification  
28 of its application.

29  
30 6-23-1004. Enrollment in an adult education charter school.

31 (a) An approved adult education charter school shall have an  
32 enrollment cap of no more than three hundred fifty (350) students.

33 (b) A person who is at least nineteen (19) years of age may enroll in  
34 an adult education charter school if the person has:

35 (1) Not earned a high school diploma;

36 (2) Failed to complete the requirements for high school

1 graduation.

2  
3 6-23-1005. Funding.

4 (a) Funding for an adult education charter school shall not be  
5 provided through the Public School Fund.

6 (b) Funding for an adult education charter school may come from public  
7 or private sources, including from the eligible entity that operates an adult  
8 education charter school.

9  
10 6-23-1006. Charter renewal.

11 The authorizer may renew the charter of an adult education charter  
12 school on a one-year or multiyear basis.

13  
14 6-23-1007. Reporting.

15 The Department of Education shall report to the Senate Committee on  
16 Education and the House Committee on Education by December 1 each year  
17 concerning:

18 (1) Evaluations of any adult education charter schools operating  
19 under this subchapter in the state, including the impact on meeting industry  
20 needs and addressing the workforce needs in the state; and

21 (2) Recommendations regarding the abolition, expansion, or  
22 modifications of the subchapter.

23  
24 6-23-1008. Rules.

25 (a) The State Board of Education may adopt rules for adult education  
26 public charter schools, including without limitation rules that address:

27 (1) Industry needs in the state;

28 (2) Standardized secondary exit-level assessment instruments  
29 appropriate for assessing adult education charter school program participants  
30 who successfully complete high school curriculum requirements, including the  
31 level of satisfactory performance;

32 (3) Reporting requirements for adult education charter schools;

33 and

34 (4) Eligibility requirements and procedures.

35 (b) The state board shall adopt a rule establishing the minimum  
36 graduation requirements for an adult education charter school to issue a high

1 school diploma that substantially meets or exceeds the basic graduation  
2 competencies in core subjects expected by the state board for public school  
3 students.

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/s/D. Johnson