

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

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

90th General Assembly

# A Bill

Regular Session, 2015

SENATE BILL 154

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

By: Representative Lowery

## For An Act To Be Entitled

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

### Subtitle

TO ESTABLISH ADULT EDUCATION CHARTER  
SCHOOLS.

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

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

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

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

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

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

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

*(A) A high school diploma; and*



(B) An industry certification.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) Includes an appropriate budget and governance plan.

6-23-1003. Resubmission of applications.

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

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

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

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

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

(1) Not earned a high school diploma;

(2) Failed to complete the requirements for high school

graduation.

6-23-1005. Funding.

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

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

6-23-1006. Charter renewal.

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

6-23-1007. Reporting.

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

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

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

6-23-1008. Rules.

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

(1) Industry needs in the state;

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

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

(4) Eligibility requirements and procedures.

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

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

/s/D. Johnson