

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

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: S3/12/15
A Bill

SENATE BILL 212

By: Senator Elliott

For An Act To Be Entitled

AN ACT TO ESTABLISH A STATEWIDE REENGAGEMENT PROGRAM;
TO INCREASE HIGH SCHOOL COMPLETION THROUGH THE
DIFFERENTIATED PATHWAY TO A HIGH SCHOOL DIPLOMA
PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

*TO ESTABLISH A STATEWIDE REENGAGEMENT
PROGRAM; TO INCREASE HIGH SCHOOL
COMPLETION THROUGH THE DIFFERENTIATED
PATHWAY TO A HIGH SCHOOL DIPLOMA PROGRAM.*

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

SECTION 1. Arkansas Code Title 6, Chapter 16, is amended to add an additional subchapter to read as follows:

Subchapter 15 – Reengagement System and *Differentiated* Pathway to a High School Diploma Program.

6-16-1501. Findings and intent.

(a) The General Assembly finds that some students are unlikely to become reengaged in their education through the traditional high school pathway to a high school diploma because they have:

(1) Failed multiple classes and are far behind their peers in accumulating credits to graduate; and

(2) Come to believe that obtaining a high school diploma is not an achievable goal.



(b) The General Assembly further finds that:

(1) For many years, school districts, two-year institutions of higher education, and community-based organizations such as the National Guard Youth Challenge Program have created partnerships to provide appropriate educational programs for students at risk of becoming disengaged;

(2) In recent years, many of these partnerships have ceased to operate due to laws and rules that permit school districts to contract using basic education allocations that do not provide sufficient guidance to students and direct hundreds of disengaged students to a learning environment that includes preparation for the General Education Development Test; and

(3) Programs have been forced to adapt to laws and rules that were not designed to address the needs of the students being served, leaving students without a viable alternative for continuing their public education and graduating from a high school.

(c)(1) It is the intent of the General Assembly to provide a statutory framework that will support a statewide reengagement through a Reengagement System and *Differentiated* Pathway to a High School Diploma Program for students.

(2) The framework for the program addresses funding, programs, and administration by directing the State Board of Education to develop model contracts and interlocal agreements that can be tailored by a school district to fit the needs of the school district.

(3) The General Assembly further intends to encourage school districts, *state-supported* institutions of higher education, career education, and community-based organizations such as the Arkansas National Guard Youth Challenge, to participate in the program and to provide appropriate instruction and services to reengage students and help them progress toward a high school diploma and workforce readiness skills.

6-15-1502. Program established.

(a) The Reengagement System and *Differentiated* Pathway to a High School Diploma Program is established.

(b) The purpose of the program is to provide appropriate educational opportunities and access to services for students sixteen (16) years of age to twenty-one (21) years of age who are disengaged from the traditional high school setting and who are in danger of dropping out of high school or not

accumulating sufficient credits to reasonably complete a high school diploma.

6-15-1503. Definitions.

As used in this subchapter:

(1) "Eligible student" means a student who is:

(A) At least sixteen (16) years of age;

(B) Either: (i) Below the fifty percent (50%) of credits required for grade level and the minimum set of credits needed to complete a high school diploma from a public school before the age of twenty-one (21);
or

(ii) Recommended for participation in the Reengagement System and Differentiated Pathway to a High School Diploma Program by a high school counselor; and

(C) Enrolled in or enrolls in the school district in which the student resides or in a nonresident school district under a legal school choice option;

(2)(A) "Full-time equivalent eligible student" means an eligible student whose enrollment and attendance meet the criteria adopted by the school district specifically for the program.

(B) Criteria adopted by a school district shall be based on:

(i) The accumulated credits generated by the student in high school, at a state-supported institution of higher education, or in the National Guard Youth Challenge Program; and

(ii) A minimum amount of planned programming or instruction and minimum attendance by the student, rather than the hours of seat time; and

(3) "Participating program" means an educational program that offers without limitation the following instruction and services:

(A)(i) Academic instruction that generates credits that can be applied to a high school diploma from the student's school district or from a state-supported institution of higher education with the goal of enabling the student to obtain the academic and workforce skills necessary for employment, postsecondary education, or the military, including without limitation:

(a) Academic skills instruction; and

(b) College and workforce readiness preparation.

(ii) Academic instruction is not limited to only the subject areas in which the student is deficient in accumulated credits.

(iii) Academic instruction shall be provided by a certified teacher or by an instructor employed by a *state-supported* institution of higher education;

(B) Individual graduation plans;

(C) Academic and career counseling;

(D) Assistance with accessing services and resources that support the student and reduce barriers to achieving educational success and earning a high school diploma; and

(E)(i) If the program is offered by a *state-supported* institution of higher education, the opportunity for qualified students to enroll in college courses or workforce readiness courses that lead to a high school diploma or enrollment in postsecondary education programs, including certification programs.

(ii) College tuition and fees shall be paid by the school district unless a previous memorandum of understanding specifies that the cost is to be shared by the school district, the *state-supported* institution of higher education, and the student.

6-16-1504. School district participation.

(a) A school district may participate in the Reengagement System and Differentiated Pathway to a High School Diploma Program by entering into:

(1) A model contract as specified under § 6-16-1505; or

(2) An interlocal agreement as specified under § 6-16-1505.

(b) This section does not affect the authority of a school district to:

(1) Contract for educational services;

(2) Offer reengagement programs that include career and college classes, internship opportunities, or other educational services for eligible students directly; or

(3) Have an audit conducted to ensure that the program offered by the school district meets academic standards adopted by the Department of Education.

6-16-1505. Model contract and model interlocal agreement.

(a) The State Board of Education shall develop and adopt a model contract and model interlocal agreement that a school district can tailor to its needs for adopting a participating program in the Reengagement System and Differentiated Pathway to a High School Diploma Program.

(b) A model contract or model interlocal agreement shall address without limitation:

(1) The responsibilities of identifying, referring, and enrolling eligible students;

(2) Instruction and services to be provided as part of a participating program;

(3) The responsibilities for data collection and reporting, including student transcripts and data required by the Department of Education;

(4) Administration of the high school student assessments or their equivalent;

(5)(A) Uniform financial reimbursement rates per full-time equivalent eligible student enrolled in a participating program, calculated and allocated as a statewide annual average of public school funding and including enhancements for students enrolled in college classes and workforce readiness programs.

(B) Financial reimbursement may include a uniform administrative fee to be retained by the school district;

(6) The responsibilities for providing special education or related services for eligible students with disabilities who have an individualized education plan;

(7) Minimum instructional staffing ratios for participating programs offered by community-based organizations such as the National Guard Youth Challenge Program, which are not required to be the same as for other basic education programs in school districts; and

(8) Performance measures that are required to be reported to high school counselors for the purpose of accountability, including longitudinal monitoring of student progress.

(c) An eligible student enrolled in a participating program is considered a regularly enrolled student of the school district in which he or

she is enrolled.

6-16-1506. Rules.

The State Board of Education shall adopt rules to implement the Reengagement System and Differentiated Pathway to a High School Diploma Program, including without limitation rules addressing:

(1) The eligibility of a student at least sixteen (16) years of age but less than nineteen (19) years of age to take the General Education Development Test if the student provides a substantial and warranted reason for leaving the regular high school education program; and

(2) The determination of whether or not a student is eligible to enroll in a participating program.

/s/Elliott