

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/13/19
A Bill

SENATE BILL 250

By: Senator A. Clark
By: Representative Burch

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING EDUCATIONAL
NEGLECT; TO AMEND THE LAW CONCERNING REPORTS OF
EDUCATIONAL NEGLECT MADE TO THE CHILD ABUSE HOTLINE;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING EDUCATIONAL
NEGLECT; AND TO AMEND THE LAW CONCERNING
REPORTS OF EDUCATIONAL NEGLECT MADE TO
THE CHILD ABUSE HOTLINE.

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

SECTION 1. Arkansas Code § 9-27-303(36)(A)(ix), concerning the definition of "neglect" and other definitions applicable to the Arkansas Juvenile Code of 1989, is amended to read as follows:

(ix)(a) Failure to ensure a child between six (6) years of age and seventeen (17) years of age is enrolled in school or is being legally home-schooled; or

(b) As a result of ~~the acts or omissions~~ an act or omission by the ~~juvenile's~~ parent, custodian, or guardian of a child, the ~~juvenile~~ child is habitually and without justification absent from school.

SECTION 2. Arkansas Code § 12-18-103(14)(A)(viii) and (ix), concerning the definition of "neglect" and other definitions applicable to the Child



Maltreatment Act, are amended to read as follows:

(viii) Failure to appropriately supervise the child that results in the child's being placed in:

(a) Inappropriate circumstances creating a dangerous situation; or

(b) A situation that puts the child at risk of harm; ~~or~~

(ix) Failure to ensure a child between six (6) years of age and seventeen (17) years of age is enrolled in school or is being legally ~~home-schooled~~ home-schooled; or

~~(x) as a result of an~~ An act or omission by the ~~child's parent, custodian, or guardian of the child, that results in~~ the child ~~is~~ being habitually and without justification absent from school.

SECTION 3. Arkansas Code § 12-18-304(g), concerning when the Child Abuse Hotline must accept a call concerning educational neglect, is amended to read as follows:

(g) The Child Abuse Hotline shall accept ~~each call~~ a report regarding educational neglect, ~~if the:~~

(1) Report alleges that a parent, custodian, or guardian of a child who is at least (6) years of age and under eighteen (18) years of age failed to enroll the child in school and lawfully home-school the child; or

(2) Report alleges that:

(A) An act or omission of a parent, custodian, or guardian of a child who is at least six (6) years of age and under eighteen (18) years of age caused the child to be absent from school;

(B) The child's absence from school was not caused by the refusal of the child to attend school;

(C) The child has been habitually absent from school without justification; and

(D) The child's absence from school has had a negative impact on the child's performance at school.

/s/A. Clark