

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 2019

5 By: Representative M. Martin  
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7

## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE PROVISIONS  
10 REGARDING STUDENT ABSENTEEISM; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

14 TO AMEND ARKANSAS CODE PROVISIONS  
15 REGARDING STUDENT ABSENTEEISM.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code § 6-15-503(d)(1), concerning prerequisites to  
21 home schooling, is amended to read as follows:

22 (d)(1) ~~No~~ A public school student shall not be eligible for enrollment  
23 in a home school if the student is currently under disciplinary action for  
24 violation of any written school policy, including, ~~but not limited to,~~  
25 without limitation excessive ~~unexcused~~ absences.  
26

27 SECTION 2. Arkansas Code § 6-18-209(c), concerning student attendance  
28 policies, is amended to read as follows:

29 (c) A student attendance policy may include excessive ~~unexcused~~  
30 absences as a mandatory basis for denial of promotion or graduation.  
31

32 SECTION 3. Arkansas Code § 6-18-222(a)(1)(B), concerning excessive  
33 student absences, is amended to read as follows:

34 (B) ~~The legislative intent is that a student having~~  
35 ~~excessive absences~~ Upon request by a student or the student's parent,  
36 guardian, or person in loco parentis, the superintendent shall consider



1 whether the denial of course credit, promotion, or graduation under this  
2 section is because of illness, accident, or other unavoidable reasons or  
3 whether the student should be given assistance in obtaining credit for the  
4 courses.

5  
6 SECTION 4. Arkansas Code § 6-18-222(a)(4) and (5), concerning truancy,  
7 are amended to read as follows:

8 (4)(A)(i) A school district shall notify a student's parent,  
9 guardian, or person in loco parentis and the community truancy board ~~shall be~~  
10 ~~notified~~ when the student has accumulated excessive ~~unexcused~~ absences equal  
11 to one-half (½) the total number of absences permitted per semester under the  
12 school district's or the community truancy board's student attendance policy.

13 (ii) Notice to a student's parent, guardian, or  
14 person in loco parentis shall be by:

15 (a) ~~telephonic~~ Telephonic contact ~~with the~~  
16 ~~student's parents, guardians, or persons in loco parentis~~ by the end of the  
17 school day in which the absence occurred; or

18 (b) ~~by regular~~ Regular mail with a return  
19 address on the envelope sent no later than the following school day.

20 (iii) Notice to the community truancy board shall be  
21 by letter to the chair of the community truancy board.

22 (B) The community truancy board shall schedule a  
23 conference with the ~~parents, guardians, or persons~~ parent, guardian, or  
24 person in loco parentis to establish a plan to take steps to eliminate or  
25 reduce the student's ~~unexcused~~ excessive absences.

26 (C)(i) If the student's ~~parents, guardians, or persons~~  
27 parent, guardian, or person in loco parentis ~~do~~ does not attend the scheduled  
28 conference, the conference may be conducted with the student and a school  
29 official.

30 (ii) However, the community truancy board  
31 shall notify the parent, guardian, or person in loco parentis ~~shall be~~  
32 ~~notified~~ of the steps to be taken to eliminate or reduce the ~~child's absence~~  
33 student's absences.

34 (5)(A) ~~Whenever~~ When a student exceeds the number of excessive  
35 ~~unexcused~~ absences ~~provided for in~~ under the district's or the community  
36 truancy board's student attendance policy, the school district or the adult

1 education program shall notify the prosecuting authority and the community  
2 truancy board, ~~and.~~

3 ~~(B)(i) the~~ The student's ~~parents, guardians, or persons~~  
4 parent, guardian, or person in loco parentis shall be subject to a civil  
5 penalty through a family in need of services action in circuit court, ~~as~~  
6 ~~authorized~~ under subdivision (a)(6)(A) of this section, ~~r.~~

7 (ii) A civil penalty under this subdivision (a)(5)  
8 shall not ~~but not to~~ exceed five hundred dollars (\$500) plus costs of court  
9 and any reasonable fees assessed by the court.

10 ~~(B) (iii)~~ (iii) The penalty shall be forwarded by the  
11 court to the school or the adult education program attended by the student.

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