

6-18-209. Adoption of student attendance policies -- Effect of unexcused absences.

- (a)** The board of directors of each school district in this state shall adopt student attendance policies.
- (b)** Each school district, as a part of its six-year educational plan, shall develop strategies for promoting maximum student attendance, including, but not limited to, the use of alternative classrooms and in-school suspensions in lieu of suspension from school.
- (c)** A student attendance policy may include unexcused absences as a mandatory basis for denial of promotion or graduation.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 60, § 4; 1985, No. 1069, § 1; A.S.A. 1947, § 80-1504; Acts 2011, No. 1223, § 1; 2013, No. 1322, § 1.

6-18-210. Definitions.

As used in this section and § 6-18-211:

- (1)** "Financial hardships" means harm or suffering caused by a student's inability to obtain or provide basic life necessities of food, clothing, and shelter for the student or the student's family; and
- (2)** "Planned instructional time" means regularly scheduled class periods offering organized teaching of a Department of Education-sanctioned class curriculum.

HISTORY: Acts 2003, No. 675, § 1.

6-18-211. Mandatory attendance for students in grades nine through twelve.

- (a)** Beginning with the 2004-2005 school year, students in grades nine through twelve (9-12) shall be required to schedule and attend a full school day.
- (b) (1)** No later than January 30, 2004, the State Board of Education shall promulgate regulations that require students in grades nine through twelve (9-12) to enroll in no less than three hundred fifty (350) minutes of planned instructional time each day as a requirement for graduation.
 - (2) (A)** The regulations shall allow local school district boards of directors to develop policies to allow:
 - (i)** Students to be assigned to no more than one (1) class period each day for a study hall period that the student shall be required to attend and participate in for a full class period of self-study or organized tutoring in the school building; and
 - (ii) (a)** No more than one (1) class period each day for organized and scheduled student extracurricular classes to be included as planned instructional time.
 - (b)** If the extracurricular class is related to a seasonal activity, the class must continue to meet after the season

ends to be counted toward the requirement of planned instructional time.

(B) The regulations shall allow local school district boards of directors to develop policies for granting waivers to students who would experience proven financial hardships if required to attend a full school day.

(c) Enrollment and attendance in vocational-educational training courses, college courses, school work programs, and other Department of Education-sanctioned educational programs may be used to satisfy the requirements of this section even if the programs are not located at the public schools.

(d) Nothing in this section and § 6-18-210:

(1) Precludes a student who has met all graduation requirements from graduating early; or

(2) Requires a student who has graduated early from high school to continue to attend school.

HISTORY: Acts 2003, No. 675, § 2; 2007, No. 985, § 1.

6-18-212. [Repealed.]

6-18-213. Attendance records and reports generally.

(a) (1) A record of pupil attendance shall be kept by each school district of the state in a format prescribed by the Department of Education.

(2) This basic record, showing the daily attendance and absence of each student for the school year, shall be kept by a teacher or other officially designated person who visually notes the physical presence or absence of each student on a daily basis.

(3) The attendance for resident and nonresident students shall be kept separately.

(4) The basic attendance records of each district shall be kept on file in electronic form by the district for a period of three (3) years and shall be audited as required by the State Board of Education.

(b) (1) The official reporting period for attendance shall be quarterly with the actual number of days counted in each period to be no less than forty (40) nor more than fifty (50).

(2) A waiver of this subsection may be granted by the department upon petition by a school district.

(c) This attendance record in each of the school districts of the state as reflected by the combined reports for the first three (3) quarters of the school year shall be the official data used in computing certain types of state aid for the following year.

(d) (1) Any district that fails to file by April 15 of any given year reports for the first three (3) quarters of that year, as required by subsection (c) of this section, shall have the remainder of its state foundation funding withheld and placed in escrow, to be released when the reports are received.

(2) A waiver of this subsection may be granted by the department upon petition by a school district.

(e) The department may analyze and inspect the attendance records of any school, school district, or open-enrollment public charter school to verify that a school, school district, or open-enrollment public charter school is correctly and accurately reporting attendance.

(f) (1) Except for those circumstances otherwise allowed by rule, any student who is absent from daily attendance for more than ten (10) consecutive school days shall be dismissed or dropped from the attendance records of the school, school district, or open-enrollment public charter school.

(2) Any student who fails to attend school by the tenth regular school day of the semester shall be retroactively dropped from the attendance records from the first day of the school semester.

(g) The state board shall promulgate rules, regulations, and procedures as may be required to implement the intent of this section.

HISTORY: Acts 1973, No. 487, §§ 1-6, 8; A.S.A. 1947, §§ 80-1551 -- 80-1557; Acts 1989, No. 466, § 1; 1997, No. 733, § 1; 1999, No. 391, § 11; 1999, No. 1078, § 71; 2001, No. 1220, § 3; 2003, No. 553, § 1; 2005, No. 2121, § 8.

6-18-214. Records of students leaving school without graduating.

(a) In addition to the records required by § 6-18-213, a record of students who have left school without having completed requirements for high school graduation shall be kept by each school district of the state on forms provided by the Department of Education or on forms approved by the Commissioner of Education as being suitable for the purpose of showing data on students who leave school without having completed the requirements for high school graduation.

(b) (1) Such records shall identify the student by name and last known address.

(2) The records shall show, as to each student in grades seven through twelve (7-12) inclusive who had been reported in attendance by the school district for the previous attendance reporting period but who is no longer reported as attending school in that school district, the following information:

(A) School site;

(B) Date of birth;

(C) Gender;

(D) Racial or ethnic identification;

(E) Educational handicapping condition, if any; and

(F) Reason for leaving.

(3) Reporting forms shall include but not be limited to the following reasons for leaving school:

(A) Enrollment in another accredited public, private, or parochial school program leading to a high school diploma;

- (B)** Failing grades;
- (C)** Lack of interest;
- (D)** Conflict with school;
- (E)** Suspension or expulsion;
- (F)** Economic hardship;
- (G)** Pregnancy or marriage;
- (H)** Peer conflict;
- (I)** Incarceration;
- (J)** Alternative plans other than those listed; or
- (K)** None of the reasons listed herein is known to apply.

(c) To the extent possible, the school district shall determine the reasons for a student's leaving school from the student or from the student's parent, guardian, or other responsible person and shall inform the student that any information obtained will be shared with the department and other governmental agencies.

(d) (1) (A) Each school district in the state shall file a report on students leaving school without having completed the requirements for high school graduation as a part of its official attendance report filed with the department for each quarterly period.

(B) The school shall keep the data on file as part of the basic attendance records in the district for a period of three (3) years.

(2) Each school district may provide the regional selective service agency with information on students leaving school without having graduated, including each student's name, date of birth, and last known address.

(e) The State Board of Education shall develop such forms and shall promulgate such rules, regulations, and procedures as may be required to implement the intent of this section.

(f) To provide for more accurate, comparable, and timely dropout and school-leaver statistics and to facilitate inclusion in the national education data system, the forms, rules, regulations, and procedures shall be developed and implemented in such a way as to allow for conformity with existing or revised collection processes for the data by the National Center for Education Statistics of the United States Department of Education.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 58, §§ 1, 2; 1983 (1st Ex. Sess.), No. 93, §§ 1, 2; A.S.A. 1947, §§ 80-1569, 80-1570; Acts 1987, No. 770, §§ 1, 2; 1997, No. 230, § 1.

6-18-215. School enrollment census -- Determining student dropout rates.

(a) (1) (A) On or before October 1 of each school year, a public school shall conduct a census of all students enrolled at the school to arrive at a school enrollment census total for each grade.

(B) The number of students transferring into the school October 1 through September 30 of the following school year shall be added to the October 1 school enrollment census total for each grade.

(C) The number of students transferring out of the school October 1 through September 30 of the following school year shall be subtracted from the October 1 school enrollment census total for each grade.

(2) The number of students transferring out of a school shall be based on the number of official transcripts requested by other schools.

(3) Each school shall maintain separate records regarding students who leave the public school system to be home-schooled under § 6-15-503.

(b) The school enrollment census total as calculated and adjusted under subsection (a) of this section shall be used to determine the dropout rate for each school as follows:

(1) For grades two through twelve (2-12), the school enrollment census total for the current school year is compared to the school enrollment census total for each of the previous grades of the previous school year; and

(2) For grade one (1), the school enrollment census total for the current school year is compared to the school enrollment census total for the kindergarten class of the previous year.

(c) The graduation rates, as defined by the Department of Education, shall be tracked for students in grades nine through twelve (9-12).

(d) The department shall use this section for in-state reporting purposes related to school dropout rates.

(e) The State Board of Education shall promulgate rules to require school districts to report graduation and dropout data each year in accordance with this section.

HISTORY: Acts 2003 (2nd Ex. Sess.), No. 104, § 1; 2005, No. 2151, § 18.

6-18-216. [Repealed.]

6-18-217. Records to be kept by teachers.

(a) It shall be the duty of each teacher in the public schools of Arkansas to keep an accurate record of attendance and nonattendance of all children enrolled in his or her class or classes.

(b) Any teacher failing to keep such record may have his or her license revoked for such failure.

HISTORY: Acts 1931, No. 169, § 157; Pope's Dig., §§ 3583, 11599; A.S.A. 1947, § 80-1509; Acts 2001, No. 1553, § 15.

6-18-218. [Repealed.]

6-18-219. False attendance reports.

Any teacher, principal, superintendent, or any other person whose duty it is to make reports as to the schools of the county who shall make a false report to the State Board of Education as to the number of children enumerated, the number enrolled in school, or the number in average daily attendance in the schools shall be:

(1) Guilty of a violation punishable by a fine not to exceed one hundred dollars (\$100), payable into the general school fund of the county; and

(2) Liable personally for any loss of revenue that the district or state sustains as a result of the false report.

HISTORY: Acts 1931, No. 169, § 176; Pope's Dig., §§ 3591, 11618; A.S.A. 1947, § 80-1901; Acts 1993, No. 294, § 12; 1999, No. 1078, § 72; 2005, No. 1994, § 65.

6-18-220. Additional absences granted for participation in FFA, FHA, and 4-H programs -- Equal treatment.

(a) The General Assembly finds and declares that:

(1) The National FFA Organization, Family, Career and Community Leaders of America, Inc., and 4-H programs in the state involve an education and learning process that is not otherwise available in the regular curriculum of secondary education in Arkansas;

(2) The principles and practices learned by school students in the FFA, FHA, and 4-H programs are highly beneficial to students;

(3) Participation in such programs should be encouraged; and

(4) A method of encouraging participation in such programs is to grant additional excused absences to students who participate in officially sanctioned activities of those organizations.

(b) Therefore, it is the purpose and intent of this section to assure that class absences of students who are participating in sanctioned FFA, FHA, and 4-H activities are excused to such extent as may be determined by the boards of directors of the respective districts, with the participants in the three (3) programs being treated equally with respect to such absences.

(c) Any school district that grants additional excused absences of FFA member students who attend officially sanctioned FFA activities shall afford equal treatment to FHA and 4-H member students who attend the same or similar officially sanctioned activities.

HISTORY: Acts 1981, No. 245, §§ 1, 2; 1981, No. 382, §§ 1, 2; 1981, No. 689, §§ 1, 2; A.S.A. 1947, §§ 80-1558 -- 80-1561; Acts 2011, No. 1223, §§ 2, 3; 2013, No. 1322, §§ 2, 3.

