

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H3/13/19

A Bill

SENATE BILL 250

5 By: Senator A. Clark
6 By: Representative Burch
7

For An Act To Be Entitled

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

15 TO AMEND THE LAW CONCERNING EDUCATIONAL
16 NEGLECT; AND TO AMEND THE LAW CONCERNING
17 REPORTS OF EDUCATIONAL NEGLECT MADE TO
18 THE CHILD ABUSE HOTLINE.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 9-27-303(36)(A)(ix), concerning the
25 definition of "neglect" and other definitions applicable to the Arkansas
26 Juvenile Code of 1989, is amended to read as follows:

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

30 (b) As a result of ~~the acts or omissions an~~
31 act or omission by the ~~juvenile's~~ parent, custodian, or guardian of a child,
32 the ~~juvenile~~ child is habitually and without justification absent from
33 school.
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35 SECTION 2. Arkansas Code § 12-18-103(14)(A)(viii) and (ix), concerning
36 the definition of "neglect" and other definitions applicable to the Child



1 Maltreatment Act, are amended to read as follows:

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

4 (a) Inappropriate circumstances creating a
5 dangerous situation; or

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

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

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

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

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

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

23 (2) Report alleges that:

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

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

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

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

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/s/A. Clark

APPROVED: 3/26/19