State of Arkansas
88th General Assembly
Regular Session, 2011

A Bill

SENATE BILL 138

By: Senators J. Key, Elliott, J. Hutchinson, Irvin, J. Jeffress, Madison, Salmon
By: Representatives Pierce, Powers, T. Rogers, Webb, Lindsey, Harris, J. Dickinson, Summers, Williams

For An Act To Be Entitled

AN ACT TO PROVIDE A FRAMEWORK FOR AFTERSCHOOL
PROGRAMS THAT PROMOTE POSITIVE YOUTH DEVELOPMENT; TO
ESTABLISH THE POSITIVE YOUTH DEVELOPMENT GRANT
PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

TO ESTABLISH THE POSITIVE YOUTH
DEVELOPMENT GRANT PROGRAM ACT.

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

SECTION 1. Arkansas Code Title 6, Chapter 5, is amended to add an
additional subchapter to read as follows:

Subchapter 9 - The Positive Youth Development Grant Program.

6-5-901. Legislative Intent -- Findings.

(a) It is the intent of the General Assembly to expand the
availability of positive youth development programs that incorporate the
standards and recommendations of the Governor's Task Force on Best Practices
for After-School and Summer Programs including without limitation;

(1) School-based and school-linked afterschool and summer
programs;

(2) 21st Century Community Learning Centers;

(3) Boys and Girls Clubs;

(4) YMCAs;

(5) 4-H Clubs; and

(6) School-Age Care programs.
(b) The General Assembly finds that:

1. Positive youth development programs:
   - (A) Support working families by ensuring their children and youth are safe and productive during out of school time;
   - (B) Build strong communities by involving students, parents, business leaders, and adult volunteers in the lives of young people in positive and productive activities, including tutoring, games, and activities designed to improve math and literacy skills;
   - (C) May include community-based service and other experiences that offer rich and varied academic support and build workforce skills critical to employment and future economic success; and
   - (D) Provide safe, challenging, engaging, and supervised learning experiences that help children and youth develop their educational, social, emotional, and physical skills where the assets and strengths of youth are emphasized rather than problems or deficits.

2. Students participating in positive youth development programs:
   - (A) Have higher daily school attendance;
   - (B) Report higher aspirations toward finishing school and going to college;
   - (C) Have fewer discipline problems;
   - (D) Show significant gains in standardized test scores;
   - (E) Are more likely to have a positive view of themselves and their hope for the future;
   - (F) Cultivate positive bonds with people and institutions that are reflected in their exchange with peers, family, school, and community; and
   - (G) Are far less likely to use drugs and alcohol, have contact with police and the juvenile court system, or engage in sexual activity and other harmful or risky behaviors.

6-5-902. Definitions.

As used in this subchapter:

1. "Grant" means a Positive Youth Development Grant;
2. "Positive youth development program" means a developmentally
appropriate learning experience that helps children and youth five (5) through nineteen (19) years of age develop educational, social, emotional, and physical skills during out of school time; and

(3) "Program" means a positive youth development program that is license-exempt or approved by the Department of Education as complying with the Out of School Time Licensing Standards as adopted by the Division of Child Care and Early Childhood Education.

6-5-903. Establishment – Participation.

(a)(1) The Department of Education shall establish the Positive Youth Development Grant Program to assist in the establishment and funding of positive youth development programs for children and youth five (5) through nineteen (19) years of age once funding is available.

(2) The department, with the advice and assistance of the Division of Child Care and Early Childhood Education, shall develop rules necessary for the implementation of this subchapter.

(b) Participation in a positive youth development program shall be voluntary for:

(1) Public school districts; and

(2) Parents or guardians of children and youth five (5) through nineteen (19) years of age.

6-5-904. Applications process – Allocation of funding.

(a)(1) A public school district, licensed youth development program, license-exempt youth development program, or an applicant that partners with a public school district, licensed youth development program, or license-exempt youth development program may apply for a positive youth development grant.

(2) A program is not required to be affiliated with a school district to be eligible to receive funding under this section.

(b) Each applicant for a positive youth development grant shall:

(1) Complete and submit the appropriate application developed by the Department of Education in collaboration with the Division of Child Care and Early Childhood Education;

(2) Submit documentation of strong community engagement and collaboration between schools, public institutions, private agencies,
business, faith-based, and other community-based organizations working
together to utilize the unique skills and resources to create a community
learning environment; and

(3)(A) Provide matching funds in the ratio of twenty-eighty
(20:80), unless the applicant is granted a waiver by the division.

(B) The division may waive the required matching funds if:

   (i) The applicant operates or will operate the
   program within the geographic boundaries of a public school district that
   contains at least one (1) school in school improvement, as designated by the
   Department of Education; and

   (ii) The division determines that the applicant is
   unable to provide the matching funds, after exhausting all potential funding
   sources.

   (C) The matching funds may consist of cash or appropriate
   in-kind services.

(c) Preference shall be given to applications that:

   (1) Are developed collaboratively by public and nonpublic
   schools and private community based programs;

   (2) Contain accountability systems and measurable outcomes under
   guidelines developed by the department in consultation with the division;

   (3) Detail funds received from all public sources for existing
   programs, the types of existing programs, and the types of students served by
   existing programs; and

   (4) Increase comprehensive positive youth development programs
   during the school year and summer.

(d)(1) If the number of qualified applicants exceed the amount of
available funding the department, after consultation with the Arkansas Early
Childhood Commission, shall determine funding distribution.

   (2) If there is a funding shortage, priority consideration shall
be given to programs in communities where:

   (A) A public school district has fifty percent (50%) or
more students eligible for free and reduced lunches; and

   (B) A public school district has been designated by the
department as being in school improvement.

(e)(1) Grants shall be a three-year award to be distributed annually,
as determined by the division.
(2) Grants may be renewable for positive youth development programs that meet adequate performance levels as developed by the department.

(3) Grants are subject to the availability of funds each fiscal year.

(f) Grant funds may be used for:

(1) Services that include children and youth with disabilities in programs that also serve nondisabled children and youth;

(2) Services that include children and youth where English is a second language;

(3) Technical assistance and planning to assist communities seeking to establish quality youth development programs by building community collaboration and partnerships; and

(4) A variety of activities including without limitation:

(A) Academic supports and skill building activities that link program content to the frameworks promulgated by the department;

(B) Activities that improve the health and wellness of children and youth, including physical activities, nutrition and health education, and safety;

(C) Art, theater, and music programs developed in collaboration with local arts or cultural programs;

(D) Activities that address cultural diversity and inclusion;

(E) Service learning or community service experiences;

(F) Workforce development activities that link academic curriculum to actual work experiences;

(G) Leadership development, mentoring, and other services to disconnected youth;

(H) Enrichment activities not otherwise provided during the school day; and

(I) Family and community engagement.

6-5-905. Criteria for need-based funding.

(a) Children and youth five (5) through nineteen (19) years of age who are members of a family with a gross family income not exceeding two hundred percent (200%) of the federal poverty guidelines are eligible to attend a
positive youth development program without cost if there is:

(1) A positive youth development program available in the
    community where the child resides; and

(2) Available space for the child to attend the program.

(b) The Department of Education and the Division of Child Care and
    Early Childhood Education may develop a fee schedule and establish
    eligibility based on family income for children and youth five (5) through
    nineteen (19) years of age who are not eligible under subsection (a) this
    section.

(c) The department and the division shall review criteria for
    identifying and targeting the areas of the state with the greatest need for
    programs.

(d) The State Board of Education, with the advice and assistance of
    the division shall adopt the appropriate criteria for identifying children
    and youth five (5) through nineteen (19) years of age with the greatest need
    to participate in programs funded by the grant.


(a) The Division of Child Care and Early Childhood Education shall be
    responsible for evaluating the impacts of the Positive Youth Development
    Grant Program.

(b)(1) The division shall provide grant recipients with technical
    assistance, evaluation, program monitoring, and professional development.

(2) The division may retain up to four percent (4%) of the
    amount appropriated for the Positive Youth Development Grant Program for this
    purpose.

(c)(1) Program evaluation and outcome measures shall be incorporated
    into the application and award procedure rules adopted by the division.

(2) Outcome measures shall include without limitation:

    (A) Student achievement and academic skills;

    (B) School engagement;

    (C) Social, emotional, and behavioral development;

    (D) Health and wellness; and

    (E) Reduced contact with the judicial system.

(d) A minimum of one (1) time each year the division shall report its
    findings and recommendations concerning the Positive Youth Development Grant
Program and technical assistance provided to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the House Committee on Education, and the Senate Committee on Education.

/s/J. Key

APPROVED: 03/04/2011