

As Engrossed: 4/2/93

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1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative King, J. Miller, Holland, Wilkins, Argue, Brownlee, Davis, Baker, Bisbee,**
5 **McGinnis, Townsend, Easley, Maddox, McKissack, Wren, Stevens, Pollan, Choate, Thicksten,**
6 **Mahony**

A Bill

HOUSE BILL 1892

For An Act To Be Entitled

10 "AN ACT TO AMEND THE EQUAL ACCESS ACT TO DEFINE SCHOOL
11 ENDORSEMENT; FURTHER DEFINE MEETINGS AND REQUIRE EACH
12 SCHOOL DISTRICT TO NOTIFY ALL STUDENTS AND THEIR PARENTS
13 OF ITS PROVISIONS OF; AND FOR OTHER PURPOSES."

Subtitle

16 "AN ACT TO AMEND THE EQUAL ACCESS ACT."

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

20 SECTION 1. Arkansas Code Annotated §6-21-202 is amended to read as
21 follows:

22 "§6-21-202. Definitions.

23 As used in this subchapter, unless the context otherwise requires:

24 (1) Secondary school means a public school which provides secondary
25 education as determined by law;

26 (2) Sponsorship includes the act of promoting, leading, or
27 participating in a meeting. The assignment of a teacher, administrator, or
28 other school employee to a meeting for custodial purposes does not constitute
29 sponsorship of the meeting;

30 (3) Meeting includes those activities of student groups which are
31 permitted under a school's limited open forum and are not directly related to
32 the school curriculum, including but not limited to student-planned graduation
33 ceremonies, and student-planned pre-game activities at sports events;

34 (4) Noninstructional time means time set aside by the school before

1 actual classroom instruction begins or after actual classroom instruction
2 ends.

3 (5) School Endorsement for purposes of this act means school official
4 or employee approves or selects speaker or approves, selects, or writes any
5 content of the speech. Student-initiated meetings limited to student speech
6 with content-neutral guidelines shall not constitute school endorsement.

7

8 SECTION 2. Arkansas Code Annotated §6-21-204 is amended to read as
9 follows:

10 "§6-21-204. Prohibition on denial of equal access.

11 (a) It shall be unlawful for any public secondary school which receives
12 state financial assistance and which has a limited open forum to deny equal
13 access or a fair opportunity to, or discriminate against, any students who
14 wish to conduct a meeting within that limited open forum on the basis of the
15 religious, political, philosophical, or other content of the speech at the
16 meeting.

17 (b) Each school district may develop a procedure to notify, in writing,
18 all students and their parents of the provisions of The Equal Access Act,
19 Arkansas Code Annotated §§6-21-201 through 6-21-206, and documentation of the
20 receipt of that notice."

21

22 SECTION 3. All provisions of this act of a general and permanent nature
23 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
24 Revision Commission shall incorporate the same in the Code.

25

26 SECTION 4. If any provision of this act or the application thereof to
27 any person or circumstance is held invalid, such invalidity shall not affect
28 other provisions or applications of the act which can be given effect without
29 the invalid provision or application, and to this end the provisions of this
30 act are declared to be severable.

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32 SECTION 5. All laws and parts of laws in conflict with this act are
33 hereby repealed.

34

/s/Rep. King, et al

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