

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1671

5 By: Representative Tucker
6 By: Senator Elliott
7

For An Act To Be Entitled

9 AN ACT TO GIVE CHARTER SCHOOLS AUTHORITY TO WEIGHT
10 ADMISSION LOTTERIES AT THEIR DISCRETION; AND FOR
11 OTHER PURPOSES.
12
13

Subtitle

14 TO GIVE CHARTER SCHOOLS AUTHORITY TO
15 WEIGHT ADMISSION LOTTERIES AT THEIR
16 DISCRETION.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 6-23-306(6)(B), concerning weighted lottery
23 admissions for open-enrollment public charter schools, is amended to read as
24 follows:

25 (B) The open-enrollment public charter school may allow a
26 weighted lottery to be used in the student selection process:

27 (i) ~~when~~ When necessary to comply with Title VI of
28 the ~~federal~~ Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., Title IX of
29 the ~~federal~~ Education Amendments of 1972, 20 U.S.C. § 1681 et seq., the equal
30 protection clause of the Fourteenth Amendment to the United States
31 Constitution, a court order, or a federal or state law requiring
32 desegregation; ~~and~~ or

33 (ii) For an increased chance of admission of the
34 following students:

35 (a) National school lunch students, as defined
36 under § 6-20-2303;



1 (b) English-language learners, as defined
 2 under § 6-20-2303;

3 (c) Students with disabilities under the
 4 Children With Disabilities Act of 1973, § 6-41-201 et seq., or the
 5 Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.; and

6 (d) Students who are currently enrolled in a
 7 public school that is classified as being in academic distress; and

8
 9 SECTION 2. Arkansas Code § 6-23-306(14)(C), concerning weighted
 10 lottery admissions for open-enrollment public charter schools, is amended as
 11 follows:

12 (C) The open-enrollment public charter may use a weighted
 13 lottery in the student selection process ~~only when necessary to:~~

14 (i) ~~only~~ When necessary to comply with a:

15 ~~(i)~~(a) Federal court order; or

16 ~~(ii)~~(b) Federal administrative order issued by
 17 an appropriate federal agency having proper authority to enforce remedial
 18 measures necessary to comply with Title VI of the ~~federal~~ Civil Rights Act of
 19 1964, 42 U.S.C. § 2000d et seq., Title IX of the ~~federal~~ Education Amendments
 20 of 1972, 20 U.S.C. § 1681 et seq., or the equal protection clause of the
 21 Fourteenth Amendment to the United States Constitution; ~~and~~ or

22 (ii) For an increased chance of admission of the
 23 following students:

24 (a) National school lunch students, as defined
 25 under § 6-20-2303;

26 (b) English-language learners, as defined
 27 under § 6-20-2303;

28 (c) Students with disabilities under the
 29 Children With Disabilities Act of 1973, § 6-41-201 et seq., or the
 30 Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.; and

31 (d) Students who are currently enrolled in a
 32 public school that is classified as being in academic distress; and

33
 34 SECTION 3. The introductory language of Arkansas Code § 6-23-306,
 35 concerning the contents of open-enrollment public charters, is amended to
 36 read as follows:

1 (a) An open-enrollment public charter granted under this subchapter
2 shall:

3
4 SECTION 4. Arkansas Code § 6-23-306, concerning contents of open-
5 enrollment public charters, is amended to add an additional subsection to
6 read as follows:

7 (b)(1) If an open-enrollment public charter includes the use of a
8 weighted lottery under this section, the structure, format, and operation of
9 that weighted lottery shall be subject to the sole discretion and control of
10 the open-enrollment public charter school governed by the open-enrollment
11 public charter.

12 (2) An open-enrollment public charter that includes the use of a
13 weighted lottery under this section may provide that the weighted lottery be
14 operated and managed by the Department of Education.