

Act 731 of the 1989 Regular Session.

Act 731

HB1360

By: Representatives Schexnayder and J. Miller

"AN ACT TO AMEND ARKANSAS CODE 6-18-307 TO PROVIDE THAT THE PARENT OR GUARDIAN OF ANY CHILD OR WARD WHOSE PLACE OF RESIDENCE IS AT LEAST FIFTEEN (15) HIGHWAY MILES FROM THE SCHOOL IN THE RESIDENT DISTRICT AND WHOSE PLACE OF RESIDENCE IS WITHIN SEVEN (7) HIGHWAY MILES OF A SCHOOL IN AN ADJOINING DISTRICT MAY PETITION THE BOARD OF DIRECTORS OF THE RESIDENT DISTRICT FOR A TRANSFER TO THE ADJOINING DISTRICT; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 6-18-307(a) is hereby amended to read as follows:

"(a) The parent or guardian of any child or ward whose place of residence is at least fifteen (15) miles from the school in the resident district and whose place of residence is within seven (7) miles of a school in an adjoining district may petition the board of directors of the resident district for a transfer to the adjoining district if the adjoining district has agreed in writing to accept transfer of the child. The minimum distances prescribed by this section shall be computed using highways which could reasonably and safely be traversed by school buses. A copy of such written agreement by the receiving district shall be filed with any such petition. If the parents or guardians of several children in a particular area meet the requirements prescribed herein, the parents or guardians may jointly petition the board of directors of the resident district for transfer of their children or wards to the adjoining district."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. Emergency. It is hereby found and determined by the General Assembly that the minimum distances prescribed in Arkansas Code 6-18-307 are being interpreted by some to be measured as air miles; that it was never the intent of the General Assembly that the distances be measured by air miles, but it was the intent that the distances be measured using highways which could reasonably and safely be traversed by school buses; that this Act specifically requires the distances to be computed using highways which can safely and reasonably be traversed by school buses; that the confusion should be eliminated as soon as possible; and that since this Act clarifies the law it should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: March 21, 1989

---