

As Engrossed: 1/13/95 3/15/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 726 OF 1995
HOUSE BILL 1069

4 **By: Representative Dawson and Wallis**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE ANN. § 6-18-203(b) CONCERNING
9 STUDENT ENROLLMENT IN A NONRESIDENT SCHOOL DISTRICT; AND
10 FOR OTHER PURPOSES."

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Subtitle

12
13 "CONCERNING STUDENT ENROLLMENT IN
14 NONRESIDENT SCHOOL DISTRICTS."

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

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18 SECTION 1. Arkansas Code Annotated § 6-18-203(b) is hereby amended to
19 read as follows:

20 "(b) (1) The children or wards of any person who is a public school
21 teacher in one school district in this state, or is employed full-time by an
22 educational cooperative, and is a resident of another school district in this
23 state shall be entitled to be enrolled in and to attend school in either the
24 district in which the parent or guardian resides, the district in which the
25 parent or guardian is a public school teacher, or any district located in the
26 county in which the main office of the educational cooperative is located.

27 (2) However, beginning with the 1993-94 school year, no student
28 may transfer to a nonresident district where the percentage of enrollment for
29 the student's race exceeds that percentage in his resident district.

30 Notwithstanding the foregoing, however, those students transferring to or
31 attending a nonresident district prior to July 1, 1993, and any siblings who
32 would qualify for such attendance pursuant to this subsection may attend the
33 *school in the nonresident district. With the exception of the districts*
34 *located in Pulaski County so long as those districts remain under a federal*
35 *court desegregation order, the children or wards of any person who was a*
36 *public school teacher in a school district of this state and a resident of*

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1 another school district in this state, on July 1, 1993, shall be entitled to
2 be enrolled in and to attend school in either the district in which the parent
3 or guardian resides or the district in which the parent or guardian was a
4 public school teacher on July 1, 1993, as long as the teacher remains teaching
5 in the non resident district, notwithstanding any provision of this subsection
6 to the contrary.

7 It is the intent of the General Assembly that this enactment promote
8 family unity by allowing those families with children and wards enrolled in
9 and attending certian schools prior to the change in law effected by Act 1105
10 of 1993 to send all their children to the same schools. The General Assembly
11 recognizes and embraces the responsibility of the State to promote
12 desegregation of its schools, and finds that this enactment affects such a
13 limited class of students that desegregation will not be impeded. If,
14 however, unforeseen circumstances result in a finding by a court that a school
15 district is unlawfully segregated in whole or part as a result of these
16 provisions, the provisions herein shall not apply to the children or wards of
17 teachers in those district.

18 Therefore, the provisions herein shall not apply to the children or
19 wards of those teachers who reside in school districts which may hereafter be
20 found by a court to be unlawfully segregated if such finding is based upon
21 segregation which was caused in whole or in part by the effects of these
22 provisions."

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

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28 SECTION 3. If any provision of this act or the application thereof to
29 any person or circumstance is held invalid, such invalidity shall not affect
30 other provisions or applications of the act which can be given effect without
31 the invalid provision or application, and to this end the provisions of this
32 act are declared to be severable.

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34 SECTION 4. All laws and parts of laws in conflict with this act are
35 hereby repealed.

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/s/Rep. Dawson, et al

APPROVED: 3-22-95

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