

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H3/31/97 H4/1/97

## A Bill

ACT 1304 OF 1997  
SENATE BILL 476

4  
5 By: Senator Bradford  
6  
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### For An Act To Be Entitled

8  
9 "AN ACT AMENDING ARKANSAS CODE ANNOTATED § 6-18-203(b) TO  
10 ALLOW CHILDREN OF PUBLIC SCHOOL TEACHERS OR EMPLOYEES OF  
11 EDUCATION SERVICE COOPERATIVES GREATER FLEXIBILITY IN  
12 ATTENDING THE SCHOOL DISTRICTS OF THEIR CHOICE; AND FOR  
13 OTHER PURPOSES."

### Subtitle

14  
15 "TO ALLOW CHILDREN OF PUBLIC SCHOOL  
16 TEACHERS OR EMPLOYEES OF EDUCATION  
17 SERVICE COOPERATIVES GREATER FLEXIBILITY  
18 IN ATTENDING THE SCHOOL DISTRICTS OF  
19 THEIR CHOICE."  
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code Annotated § 6-18-203(b) is amended to read as  
25 follows:

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

33 ~~\_\_\_\_\_ (2)(A)(i) However, beginning with the 1993-94 school year, no student~~  
34 ~~may transfer to a nonresident district where the percentage of enrollment for~~  
35 ~~the student's race exceeds that percentage in his resident district.~~

36 ~~\_\_\_\_\_ (ii) Notwithstanding the foregoing, however, those students~~

1 ~~transferring to or attending a nonresident district prior to July 1, 1993, and~~  
2 ~~any siblings who would qualify for such attendance pursuant to this subsection~~  
3 ~~may attend the school in the nonresident district.~~

4 ~~—— (B) With the exception of the districts located in Pulaski County so~~  
5 ~~long as those districts remain under a federal court desegregation order, the~~  
6 ~~children or wards of any person who was a public school teacher in a school~~  
7 ~~district of this state and a resident of another school district in this~~  
8 ~~state, on July 1, 1993, shall be entitled to be enrolled in and to attend~~  
9 ~~school in either the district in which the parent or guardian resides or the~~  
10 ~~district in which the parent or guardian was a public school teacher on July~~  
11 ~~1, 1993, so long as the teacher remains teaching in the nonresident district,~~  
12 ~~notwithstanding any provision of this subsection to the contrary.~~

13 ~~—— (3)(A) It is the intent of the General Assembly that this enactment~~  
14 ~~promote family unity by allowing those families with children and wards~~  
15 ~~enrolled in and attending certain schools prior to July 1, 1993, to send all~~  
16 ~~their children to the same schools.~~

17 ~~—— (B)(i)(2)(A) The General Assembly recognizes and embraces the~~  
18 ~~responsibility of the state to promote desegregation of its schools and finds~~  
19 ~~that this enactment affects such a limited class of students that~~  
20 ~~desegregation will not be impeded. If, however, unforeseen circumstances~~  
21 ~~result in a finding by a court that a school district is unlawfully segregated~~  
22 ~~in whole or part as a result of these provisions, the provisions in this~~  
23 ~~subsection shall not apply to the children or wards of teachers in that~~  
24 ~~district.~~

25 ~~———— (ii)(B) Therefore, the provisions in this subsection shall not~~  
26 ~~apply to the children or wards of those teachers who reside in school~~  
27 ~~districts which may hereafter be found by a court to be unlawfully segregated~~  
28 ~~if such finding is based upon segregation which was caused in whole or in part~~  
29 ~~by the effects of these provisions."~~

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

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35 SECTION 3. If any provision of this act or the application thereof to  
36 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without  
2 the invalid provision or application, and to this end the provisions of this  
3 act are declared to be severable.

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

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*/s/Senator Bradford*

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APPROVED: 4-10-97

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