1 State of Arkansas   *As Engrossed: H1/29/19 H1/31/19*

2 92nd General Assembly   A Bill

3 Regular Session, 2019   HOUSE BILL 1175

4

5 By: Representatives Evans, C. Fite

6 *By: Senator T. Garner*

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8   **For An Act To Be Entitled**

9   AN ACT CONCERNING PUBLIC SCHOOL CHOICE; TO AMEND THE

10   PUBLIC SCHOOL CHOICE ACT OF 2015 AND THE ARKANSAS

11   OPPORTUNITY PUBLIC SCHOOL CHOICE ACT OF 2004; TO

12   AMEND THE DEADLINE BY WHICH A STUDENT WHO HAS A

13   PARENT OR GUARDIAN WHO RESIDES ON A MILITARY BASE MAY

14   APPLY FOR A TRANSFER UNDER THE PUBLIC SCHOOL CHOICE

15   ACT OF 2015 AND THE ARKANSAS OPPORTUNITY PUBLIC

16   SCHOOL CHOICE ACT OF 2004; AND FOR OTHER PURPOSES.

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19   **Subtitle**

20   TO AMEND THE DEADLINE BY WHICH A STUDENT

21   WHO HAS A PARENT OR GUARDIAN WHO RESIDES

22   ON A MILITARY BASE MAY APPLY FOR A

23   TRANSFER UNDER THE PUBLIC SCHOOL CHOICE

24   ACT AND THE ARKANSAS OPPORTUNITY PUBLIC

25   SCHOOL CHOICE ACT.

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

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30   SECTION 1. Arkansas Code § 6-18-227(b)(1)(B), concerning the time by

31 which an individual may apply for a transfer under the Arkansas Opportunity

32 Public School Choice Act of 2004, is amended to read as follows:

33   (B)(i) Except as provided in subdivision (b)(1)(B)(ii) of

34 this section, The the parent, guardian, or the student, if the student is

35 over eighteen (18) years of age, has notified the Department of Education and

36 both the sending and receiving school districts of the request for a transfer

1   no later than July 30 of the first year in which the student intends to

2   transfer.

3   *(ii)(a) If a student has a parent or guardian who is*

4   *an active-duty member of the military and who has been transferred to and*

5   *resides on a military base, then the student's parent or guardian may submit*

6   *a request for transfer under this section at any time during the calendar*

7   *year.*

8   (b) An application for transfer under

9   subdivision (b)(1)(B)(ii)(a) of this section shall:

10   (1) Be filed with the nonresident school

11   district within fifteen (15) days of the parent's or guardian's arrival on

12   the military base;

13   (2) Include the parent's or guardian's

14   military transfer orders; and

15   (3) Include the parent's or guardian's

16   proof of residency on the military base.

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18   SECTION 2. Arkansas Code § 6-18-227(b)(2)(A)(ii), concerning the

19   Arkansas Opportunity Public School Choice Act of 2004, is amended to read as

20   follows:

21   (ii)(a) A Except as provided in subdivision

22   (b)(2)(A)(ii)(b) of this section, a transfer under this section is effective

23   at the beginning of the next academic year.

24   (b) A transfer under this section for a

25   student who has a parent or *guardian who is an active-duty member of the*

26   *military and who* resides on a military base is effective upon the approval of

27   the accepting school board at its next meeting.

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29   SECTION 3. Arkansas Code § 6-18-1905(a), concerning an application for

30   a transfer under the Public School Choice Act of 2015, is amended to read as

31   follows:

32   (a) If a student seeks to attend a school in a nonresident district,

33   the student's parent shall submit an application:

34   (1) To the nonresident district, which shall notify the resident

35   district of the filing of the application within ten (10) calendar days of

36   receipt of the application;

1   *(2)(A)* *On a form approved by the Department of Education; and.*
2   *(B)* *If a student has a parent or guardian who is an*
3 *active-duty member of the military and who has been transferred to and*
4 *resides on a military base, then the student's parent or guardian shall file*
5 *an application for transfer under this section within fifteen (15) days of*
6 *the parent's or guardian's arrival on the military base, which shall include*
7 *without limitation the parent's or guardian's:*
8   *(i) Military transfer orders; and*
9   *(ii) Proof of residency on the military base; and*
10   (3)*(A)* Postmarked no later than May 1 of the year in which the student
11 seeks to begin the fall semester at the nonresident district.
12   *(B)* *However, if a student has a parent or guardian who is*
13 *an active-duty member of the military, then the student's application for a*
14 *transfer under this section is not subject to the May 1 deadline under*
15 *subdivision (a)(3)(A) of this section if the student's parent or legal*
16 *guardian:*
17   *(i) Has been transferred to and resides on a*
18 *military base; and*
19   *(ii) Provides military transfer orders that confirm*
20 *the date of transfer to the military base.*
21
22   SECTION 4. Arkansas Code § 6-18-1905(e), concerning an application for
23 a transfer under the Public School Choice Act of 2015, is amended to read as
24 follows:
25   (e)(1) ~~By~~ Except as provided in subdivision (e)(4) of this section, by
26 July 1 of the school year in which the student seeks to enroll in a
27 nonresident district under this subchapter, the superintendent of the
28 nonresident district shall notify the parent and the resident district in
29 writing as to whether the student's application has been accepted or
30 rejected.
31   (2) If the application is rejected, the superintendent of the
32 nonresident district shall state in the notification letter the reason for
33 rejection.
34   (3) If the application is accepted, the superintendent of the
35 nonresident district shall state in the notification letter a reasonable
36 deadline by which the student shall enroll in the nonresident district and

1   after which the acceptance notification is null.

2   *(4) The July 1 deadline under subdivision (e)(1) of this section*

3   *does not apply in the case of an application received from a student who has*

4   *a parent or guardian who is an active-duty member of the military and who has*

5   *been transferred to and resides on a military base.*

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8   */s/Evans*

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11   **APPROVED: 2/18/19**

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