

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: S3/22/99 S4/5/99*

## A Bill

Act 1554 of 1999  
SENATE BILL 788

5 By: Senators Bradford, Edwards  
6 By: *Representative Pappas*  
7

### For An Act To Be Entitled

10 "AN ACT AMENDING VARIOUS SECTIONS OF THE ARKANSAS CODE  
11 ANNOTATED TO AUTHORIZE SCHOOL DISTRICTS TO FINANCE  
12 SCHOOL FACILITIES TO SHARE UNDER A COMPACT FOR  
13 ALTERNATIVE EDUCATIONAL PROGRAMS, SECONDARY AREA  
14 VOCATIONAL CENTERS, AND COMMUNITY-BASED EDUCATION  
15 PROGRAMS; AND FOR OTHER PURPOSES. "

### Subtitle

18 "TO AUTHORIZE SCHOOL DISTRICTS TO FINANCE  
19 FACILITIES TO SHARE UNDER A COMPACT FOR  
20 ALTERNATIVE EDUCATIONAL PROGRAMS,  
21 SECONDARY AREA VOCATIONAL CENTERS, AND  
22 COMMUNITY-BASED EDUCATION. "

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

27 SECTION 1. Arkansas Code 6-13-801 is amended to read as follows:  
28 "6-13-801. Authorization.

29 (a) Any two (2) or more school districts in this state are authorized  
30 to enter into compacts, as authorized by this subchapter, to share or provide  
31 educational facilities, resources, and opportunities, including without  
32 limitation alternative educational programs, secondary area vocational  
33 centers, and community-based education programs, that the boards of directors  
34 of the compacting school districts determine may be better and more  
35 efficiently provided by such compact agreements rather than by each district  
36 acting in its individual capacity.

1        (b) If all of the school districts that have entered into a compact are  
2 within the service area of the same education service cooperative, that  
3 education service cooperative is also authorized to enter into the compact.

4        (c) The members of the compact may jointly enter into lease agreements  
5 for the purpose of renting facilities."

6  
7        SECTION 2. Arkansas Code 6-13-1017(c) is amended to read as follows:

8        "(c) Education service cooperatives may provide shared educational  
9 programs and services such as needs assessment and school improvement  
10 planning, staff development, curriculum development, itinerant teachers,  
11 instructional materials, adult and vocational education, programs for gifted  
12 and talented, education for children with disabilities, alternative  
13 educational programs, secondary area vocational centers, community-based  
14 education programs and other services which the State Board of Education may  
15 approve or which school districts may support with local funds."

16  
17        SECTION 3. Arkansas Code 6-18-204 is amended to read as follows:

18        "6-18-204. Attendance in another district - Conditions.

19        (a) The title of this section shall be 'An Act Making It Legal for a  
20 Student Living in One School District to Attend School in Another School  
21 District Under Specified Conditions.'

22        (b) A student may attend school in another district under the following  
23 conditions:

24                (1) A student in grades nine through twelve (9-12) inclusive may  
25 attend school in another district for the purpose of enrolling for courses  
26 that will constitute not more than fifty percent (50%) of the classes taken by  
27 him or her during the school day~~;~~

28                (2) Such classes shall be limited to those that are not offered  
29 by the student's home district and are required by the student to meet his or  
30 her educational objectives~~;~~

31                (3) In order to qualify for such attendance, the student shall  
32 file a projected course of study with his or her principal or school counselor  
33 prior to enrollment in another school, and subsequent enrollment may be  
34 entered into only after it is determined that the desired courses cannot be  
35 taken in the home district~~;~~ and

36                (4) The resident district of a student taking advantage of the

1 provisions of this section shall pay tuition to the district that student  
2 attends in an amount not less than a proportion of the home district's state  
3 equalization funding per student equal to a ratio that the number of classes  
4 taken by a student outside his or her home district bears to the number of  
5 total classes taken by the student.

6 (5)(A) A student wishing to take advantage of the provisions of  
7 this subsection must have permission of the receiving district in order to  
8 enroll in that district.

9 (B) The amount of tuition shall be agreed upon by both  
10 districts prior to enrollment in the receiving district, except that if an  
11 agreement cannot be reached by the opening date of the receiving school, an  
12 appeal shall be made to the Assistant Director of Public School Finance of the  
13 Department of Education within thirty (30) days from the opening date of  
14 school, and his decision shall be final.

15 (C) Under these conditions, the student may enroll at the  
16 beginning date of school in the receiving district.

17 (c)(1) A student may attend school in another district for the purposes  
18 of enrolling for alternative education programs, secondary area vocational  
19 centers, or community-based education programs for which the resident district  
20 has entered into a compact with another district.

21 (2) The resident district of a student taking advantage of the  
22 provisions of this subsection shall pay tuition to the district or education  
23 service cooperative that is the administrative agency for the compact program,  
24 in the amount agreed upon the compact, or as required by state regulation.

25 ~~(e)(d)~~ Attendance of a student enrolled in another school under the  
26 provisions of subsections (b) and (c) of this section shall be counted for  
27 state aid purposes by the student's home resident district.

28 ~~(d)(e)~~ Eligibility for participation in inter-school activities by any  
29 such student shall be in accordance with regulations of the Arkansas  
30 Activities Association.

31 ~~(e) The resident district of a student taking advantage of the~~  
32 ~~provisions of this section shall pay tuition to the district which the student~~  
33 ~~attends in an amount not less than a proportion of the home district's state~~  
34 ~~aid table rate equal to a ratio that the number of classes taken by a student~~  
35 ~~outside his or her home district bears to the number of total classes taken by~~  
36 ~~the student.~~

1           ~~(f)(1) A student wishing to take advantage of the provisions of this~~  
2 ~~section must have permission of the receiving district in order to enroll in~~  
3 ~~that district.~~

4           ~~(2) The amount of tuition shall be agreed upon by both districts~~  
5 ~~prior to enrollment in the receiving district, except that if an agreement~~  
6 ~~cannot be reached by the opening date of the receiving school, an appeal shall~~  
7 ~~be made to the Associate Director of Finance and Administration of the~~  
8 ~~Department of Education within thirty (30) days from the opening date of~~  
9 ~~school, and his decision shall be final.~~

10           ~~(3) Under these conditions, the student may enroll at the~~  
11 ~~beginning date of school in the receiving district.~~

12           ~~(g)(f)~~ The purpose of this section is not to be construed in any manner  
13 other than that of broadening the curriculum and program offerings that may be  
14 made available to students whose home district does not offer subjects needed  
15 by such students to realize their educational objectives.”

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17           SECTION 4. All provisions of this act of a general and permanent nature  
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
19 Revision Commission shall incorporate the same in the Code.

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21           SECTION 5. If any provision of this act or the application thereof to  
22 any person or circumstance is held invalid, such invalidity shall not affect  
23 other provisions or applications of the act which can be given effect without  
24 the invalid provision or application, and to this end the provisions of this  
25 act are declared to be severable.

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

29   /s/ Bradfor

  APPROVED: 4/15/1999d