

**ARKANSAS SENATE**  
93rd General Assembly - Regular Session, 2021  
**Amendment Form**

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**Subtitle of Senate Bill No. 638**

TO CREATE THE ARKANSAS MILITARY CHILD SCHOOL TRANSITIONS ACT OF 2021; AND TO  
ADVANCE ACHIEVEMENT OF EDUCATIONAL SUCCESS ON BEHALF OF CHILDREN OF MILITARY  
FAMILIES.

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**Amendment No. 1 to Senate Bill 638**

Amend Senate Bill No. 638 as originally introduced:

Page 4, line 19, delete "§ 6-28-301 et seq." and substitute "§ 6-4-301 et seq."

AND

Page 8, delete line 29, and substitute the following:  
"6-4-301 et seq."

AND

Page 14, line 27, delete "§ 6-28-302 Article VIII" and substitute "§ 6-4-302 Article VIII"

AND

Page 19, line 28, delete "§ 6-28-301 et seq." and substitute "§ 6-4-301 et seq."

AND

Page 19, delete lines 34 through 36

AND

Delete pages 20 through 41

AND

Page 42, delete lines 1 through 16, and substitute the following:



"SECTION 3. Arkansas Code § 6-18-202(b), concerning residency of"

AND

Page 44, delete SECTION 7 in its entirety and substitute the following:

"SECTION 7. Arkansas Code §§ 6-4-303 – 6-4-306 are repealed.

~~6-4-303. Compact Commissioner for Arkansas.~~

~~(a) Under the Interstate Compact on Educational Opportunity for Military Children established under this subchapter, the Compact Commissioner for Arkansas shall be the Commissioner of Elementary and Secondary Education or his or her designee.~~

~~(b) The Compact Commissioner for Arkansas is responsible for the administration and management of the state's participation in the compact adopted under this subchapter.~~

~~(c) The Compact Commissioner for Arkansas shall cooperate with all departments, agencies, and officers of and in government of this state as well as all school districts and political subdivisions of this state for the administration of this compact, supplementary agreements entered into by the state, or as further directed by law or by the Division of Elementary and Secondary Education or the State Board of Education.~~

~~6-4-304. Creation of the State Council.~~

~~(a) There is created the State Council for the Interstate Compact on Educational Opportunity for Military Children to be composed of the following members:~~

~~(1) The Commissioner of Elementary and Secondary Education or his or her designee, serving as Compact Commissioner for Arkansas as provided under § 6-4-303;~~

~~(2) The superintendent of the public school district with the greatest number of children of military families from each Arkansas congressional district as determined every four (4) years;~~

~~(3) One (1) member to be appointed by the President Pro Tempore of the Senate from a list of three (3) nominees submitted by the Executive Director of the Arkansas Education Association;~~

~~(4) One (1) member to be appointed by the Speaker of the House of Representatives from a list of three (3) nominees submitted by the Executive Director of the Arkansas Association of Educational Administrators;~~

~~(5)(A) One (1) member selected from the state at large and appointed by the Governor subject to confirmation of the Senate.~~

~~(B) The Governor shall consult the Arkansas School Boards Association before making an appointment under subdivision (a)(5)(A) of this section;~~

~~(6) The charter school leader of the open enrollment public charter school with the greatest number of children of military families;~~

~~(7)(A) A representative from each federal and state military installation in Arkansas that employs uniformed service members as designated by each military installation commander.~~

~~(B) A representative from a federal military installation shall serve as a nonvoting, ex officio member;~~

~~(8) The Executive Director of the Arkansas Activities Association, serving as a nonvoting, ex officio member;~~

~~(9) The Chair of the Senate Committee on Education and the Chair of the House Committee on Education or designees from each of the committees, serving as nonvoting, ex officio members; and~~

~~(10) The United States Department of Defense representative for Arkansas shall have duties and responsibilities as established by United States Department of Defense Instruction Number 1342.29, and shall not be a member of the State Council.~~

~~(b)(1) Each appointed member shall have a background or interest in the education of military children.~~

~~(2)(A) The terms for the initial appointees to the council shall be staggered as determined by lot with:~~

~~(i) One (1) member serving a term of three (3) years;~~

~~(ii) One (1) member serving a term of four (4) years; and~~

~~(iii) One (1) member serving a term of five (5) years.~~

~~(B) Each succeeding appointment to the council shall be for a term of five (5) years, but the member appointed shall serve until the member's successor is appointed.~~

~~(3)(A) If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled by appointment by the official that made the appointment.~~

~~(B) The new appointee shall serve for the remainder of the unexpired term.~~

~~(c)(1) The council shall meet at least quarterly or as decided upon by a majority of its members.~~

~~(2) Unless otherwise approved by the Commissioner of Elementary and Secondary Education, the State Council shall conduct its meetings in Central Arkansas and via teleconference or web conference to allow for scheduling flexibility for council members.~~

~~(d)(1) A majority of the members of the council shall constitute a quorum for transacting business of the council.~~

~~(2) All actions of the council shall be by a quorum.~~

~~(e) The Commissioner of Elementary and Secondary Education or his or her designee serving as Compact Commissioner for Arkansas shall be the chair of the council and be a full voting member.~~

~~(f) Appointments to the council shall be for a term of four (4) years.~~

~~(g) All state agencies, school districts, and political subdivisions of the state shall furnish to the council any information and assistance the council may reasonably request.~~

#### ~~6-4-305. Duties of the State Council.~~

~~(a) Within thirty (30) days from the date the appointments are initially made, the members of the State Council for the Interstate Compact on Educational Opportunity for Military Children shall appoint a military family education liaison to assist military families and the state in facilitating the implementation of the Interstate Compact on Educational Opportunity for Military Children adopted under this subchapter.~~

~~(b) The council may promulgate rules for the administration of this subchapter and provide recommendations to the Division of Elementary and~~

~~Secondary Education regarding the promulgation of rules applicable to the division and public school districts.~~

~~(c) Children of military families under this subchapter shall have equitable access to academic courses and programs and to extracurricular academic, athletic, and social programs.~~

~~(d)(1) The State Council shall meet at least annually to hold a public forum in a military community to hear direct feedback from military families regarding the effectiveness of the compact in this state.~~

~~(2) Under this subchapter, parents and legal guardians of military families may request the opportunity to:~~

~~(A) Speak at the public forum under subdivision (d)(1) of this section; or~~

~~(B) Make an online presentation to the State Council during the public forum under subdivision (d)(1) of this section.~~

~~(e) The State Council may seek input from the Division of Elementary and Secondary Education regarding the outcome of a case that is brought to the State Council for resolution.~~

~~(f) The State Council shall provide annually a report to the Governor, the Senate Committee on Education, and the House Committee on Education that includes without limitation the following:~~

~~(1) Information regarding the achievements of the State Council and public school districts regarding the support provided to military families under this subchapter;~~

~~(2) Details of the reports regarding the compact in this state that are provided to the Military Interstate Children's Compact Council and actions taken by the Military Interstate Children's Compact Council that impact the state;~~

~~(3) Details of cases and the outcomes of the cases brought to the State Council for resolution, in compliance with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, as it existed on January 1, 2019, and state student privacy laws;~~

~~(4) Information regarding training that is provided to and completed by public school district personnel with respect to this subchapter;~~

~~(5) Details regarding plans for future engagement efforts with military families under this subchapter; and~~

~~(6) Any other information requested by parents and legal guardians of military families.~~

~~6-4-306. Military family education liaison.~~

~~(a) The military family education liaison shall be an ex officio member of the State Council for the Interstate Compact on Educational Opportunity for Military Children.~~

~~(b) The military family education liaison shall have specialized knowledge related to the educational needs of military children and the obstacles that military children face in obtaining an education.~~

~~(c) The military family education liaison shall serve a term of four (4) years.~~

SECTION 8. Arkansas Code §§ 6-4-308 and 6-4-309 are repealed.

~~6-4-308. Immunity not affected.~~

~~(a) This subchapter shall not affect the immunity from suit granted to state officials and employees under § 19-10-305 or to the state and its official agencies under Arkansas Constitution, Article 5, § 20.~~

~~(b) The exercise of the powers and performance of duties provided for in this subchapter by the Compact Commissioner for Arkansas, the State Council for the Interstate Compact on Educational Opportunity for Military Children, and the military family education liaison for Arkansas and its officers, agents, and employees are declared to be public and governmental functions, exercised for a public purpose and matters of public necessity, conferring upon each authority governmental immunity from suit in tort.~~

~~6-4-309. Children of military families — Student enrollment procedures — Military education coordinators.~~

~~(a) A public school with twenty (20) or more children of military families enrolled as students or a public school with a total of three thousand (3,000) or more students enrolled shall:~~

~~(1) Incorporate into the policies of the public school specific procedures that outline actions to take in support of students who are the children of military families who transition to and from the public school; and~~

~~(2)(A) Designate each public school district a military education coordinator to serve as the primary point of contact for each child of a military family and his or her parent or legal guardian.~~

~~(B) The public school military education coordinator shall have specialized knowledge regarding the educational needs of children of military families and the obstacles that children of military families face in obtaining an education.~~

~~(b) The Division of Elementary and Secondary Education shall supply relevant resources for the orientation and training of public school military education coordinators under this section."~~

AND

Page 71, line 29, delete "SECTION 8" and substitute "SECTION 9"

AND

Page 79, line 29, delete "SECTION 9" and substitute "SECTION 10"

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator J. English

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Secretary