

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1460

By: Representatives Collier, J. Miller and Mahony

"AN ACT TO PROVIDE THAT WHEN A SCHOOL DISTRICT ADMITS A STUDENT WHO IS A RESIDENT OF ANOTHER SCHOOL DISTRICT, THE ADMITTING DISTRICT SHALL BE LIABLE TO THE OTHER DISTRICT IN AN AMOUNT EQUAL TO THE AMOUNT OF STATE AID THE RESIDENT DISTRICT WOULD HAVE RECEIVED OR SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00) PER YEAR, WHICHEVER IS GREATER; AND FOR OTHER PURPOSES."

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

SECTION 1. Any school district which admits for ten (10) school days or more a student which the school district knows, or should have known, is a resident of another school district that is not included in a tuition agreement or has not been officially transferred to it, shall be liable to the resident district of the student for an amount of money equal to the amount of State aid the resident district would have received or seven hundred and fifty dollars (\$750.00) per year, whichever is greater. Either school district may petition the State Department of Education to satisfy the liability by transferring such amount to the entitled school district from funds which the Department would have distributed to the liable school district. Upon receipt of such a petition, the Department shall determine the amount of the liability and satisfy the same by such transfer. If a substantial question arises as to residence, the State Board of Education may decline to assess the penalty.

SECTION 2. This Act shall be deemed supplemental to and not a repeal of Act 111 of the First Extraordinary Session of 1983.

SECTION 3. Emergency. It is hereby found and determined by the General Assembly that when a school district admits to class a student residing in

another school district, the receiving school district should be liable to the school district of residence for the revenues which the school district of residence will lose as a result of the student transfer; that this Act so provides and should be given immediate effect in order to provide for the equitable treatment of the school districts of residence. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

