

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 2/27/87

HOUSE BILL 1661

By: Representative Foster

"AN ACT TO ESTABLISH RESIDENCY REQUIREMENTS FOR PERSONS ATTENDING PUBLIC SCHOOLS IN THIS STATE; AND FOR OTHER PURPOSES."

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

SECTION 1. (a) The public schools of any school district in this State shall be open and free through completion of the secondary program to all persons in this State between the ages of five (5) and twenty-one (21) years whose parents, legal guardians or other person(s) having lawful control thereof under an order of a court reside within the school district and to all persons between those ages who have been legally transferred to the district for education purposes. Any person eighteen (18) years of age or older may establish a residence separate and apart from his parents or guardians for school attendance purposes.

(b) In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the public schools separate and apart from his parents, guardians or other person(s) having lawful control of him under an order of a court, he or she must actually reside in the district for a primary purpose other than that of school attendance.

SECTION 2. Section 1 of Act 60 of the First Extraordinary Session of 1983, the same being Section 80-1501 of the Arkansas Statutes, is hereby repealed.

SECTION 3. EMERGENCY. It is hereby found and determined by the General Assembly that constitutional challenges to the present form of Section 1 of Act 60 of the First Extraordinary Session of 1983 (Ark. Stats. 80-1501) has caused considerable confusion among school administrators and school boards as to whether certain individual students may properly attend school in their

districts; that additional legal challenges to the present form of Section 1 of said Act 60 of the First Extraordinary Session of 1983 are presently pending. Therefore, an emergency is hereby declared to exist and this Act, being immediately necessary for the preservation of the public peace, health, and welfare, shall be in full force and effect from and after its passage and approval.

/s/ W. F. Foster

