

State of Arkansas

77th General Assembly

A Bill

HOUSE BILL

Third Extraordinary Session, 1989

CALL ITEM 80 1102

By: Representative Northcutt

For An Act To Be Entitled

"AN ACT TO AMEND ACT 609 OF 1989, THE ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 1989, TO PROVIDE INCREASED FLEXIBILITY TO STUDENTS IN TRANSFERRING UNDER THE ACT; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 6 of Act 609 of 1989 is hereby amended to read as follows:

"Section 6. BASIS FOR ADMISSION DECISIONS. The school board of any participating district must adopt, by resolution, specific standards for acceptance and rejection of applications. Standards may include the capacity of a program, class, grade level, or school building. Nothing in this Act requires a school district to add teachers or classrooms or in any way exceed the requirements and standards established by existing law. Standards may not include an applicant's previous academic achievement, athletic or other extracurricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings except in the case of students who have been or who are expelled from another school district during the school year of application."

SECTION 2. Section 11 of Act 609 of 1989 is hereby amended to read as follows:

"Section 11. LIMITATIONS. The provisions of this Act and all pupil choice options created hereby are subject to the following limitations:

(a) No student may transfer to a nonresident district where the percentage of enrollment for the student's race exceeds that percentage in his resident district.

(b) In any instance where the foregoing provisions would result in a

conflict with a desegregation court order, the terms of the order shall govern.

(c) If the non-white population in either the sending or receiving district is 12% or less of the total district population, the limitation set forth in subsection (a) does not apply."

SECTION 3. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.