

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1069

4 By: Representative Dawson *and Wallis*

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## For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE ANN. § 6-18-203(b) CONCERNING  
9 STUDENT ENROLLMENT IN A NONRESIDENT SCHOOL DISTRICT; AND  
10 FOR OTHER PURPOSES."

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12

## Subtitle

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"CONCERNING STUDENT ENROLLMENT IN  
NONRESIDENT SCHOOL DISTRICTS."

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

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18 SECTION 1. Arkansas Code Annotated § 6-18-203(b) is hereby amended to  
19 read as follows:

20 "(b)(1) The children or wards of any person who is a public school  
21 teacher in one school district in this state, or is employed full-time by an  
22 educational cooperative, and is a resident of another school district in this  
23 state shall be entitled to be enrolled in and to attend school in either the  
24 district in which the parent or guardian resides, the district in which the  
25 parent or guardian is a public school teacher, or any district located in the  
26 county in which the main office of the educational cooperative is located.

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28 (2) However, beginning with the 1993-94 school year, no student  
29 may transfer to a nonresident district where the percentage of enrollment for  
the student's race exceeds that percentage in his resident district.

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31 Notwithstanding the foregoing, however, those students transferring to or  
32 attending a nonresident district prior to July 1, 1993, and any siblings who  
would qualify for such attendance pursuant to this subsection may attend the

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*school in the nonresident district. With the exception of the districts*

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*located in Pulaski County so long as those districts remain under a federal*  
35 *court desegregation order, the children or wards of any person who was a*

1 public school teacher in a school district of this state and a resident of  
2 another school district in this state, on July 1, 1993, shall be entitled to  
3 be enrolled in and to attend school in either the district in which the  
4 parent or guardian resides or the district in which the parent or guardian  
5 was a public school teacher on July 1, 1993, as long as the teacher remains  
6 teaching in the non resident district, notwithstanding any provision of this  
7 subsection to the contrary.

8       It is the intent of the General Assembly that this enactment promote  
9 family unity by allowing those families with children and wards enrolled in  
10 and attending certian schools prior to the change in law effected by Act 1105  
11 of 1993 to send all their children to the same schools. The General Assembly  
12 recognizes and embraces the responsibility of the State to promote  
13 desegregation of its schools, and finds that this enactment affects such a  
14 limited class of students that desegregation will not be impeded. If,  
15 however, unforeseen circumstances result in a finding by a court that a  
16 school district is unlawfully segregated in whole or part as a result of  
17 these provisions, the provisions herein shall not apply to the children or  
18 wards of teachers in those district.

19       Therefore, the provisions herein shall not apply to the children or  
20 wards of those teachers who reside in school districts which may hereafter be  
21 found by a court to be unlawfully segregated if such finding is based upon  
22 segregation which was caused in whole or in part by the effects of these  
23 provisions."

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25       SECTION 2. All provisions of this act of a general and permanent  
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
27 Code Revision Commission shall incorporate the same in the Code.

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29       SECTION 3. If any provision of this act or the application thereof to  
30 any person or circumstance is held invalid, such invalidity shall not affect  
31 other provisions or applications of the act which can be given effect without  
32 the invalid provision or application, and to this end the provisions of this  
33 act are declared to be severable.

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35       SECTION 4. All laws and parts of laws in conflict with this act are

***As Engrossed: 1/13/95 3/15/95***

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1 hereby repealed.

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*/s/Rep. Dawson, et al*

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