

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

SENATE BILL 717

4
5 By: Senators Bradford and Edwards

For An Act To Be Entitled

9 "AN ACT AMENDING VARIOUS SECTIONS OF THE ARKANSAS CODE
10 ANNOTATED TO AUTHORIZE SCHOOL DISTRICTS TO FINANCE SCHOOL
11 FACILITIES TO SHARE UNDER A COMPACT FOR CHARTER SCHOOLS,
12 ALTERNATIVE EDUCATIONAL PROGRAMS, SECONDARY AREA
13 VOCATIONAL CENTERS, AND COMMUNITY-BASED EDUCATION
14 PROGRAMS; AND FOR OTHER PURPOSES."

Subtitle

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17 "TO AUTHORIZE SCHOOL DISTRICTS TO
18 FINANCE FACILITIES TO SHARE UNDER A
19 COMPACT FOR CHARTER SCHOOLS, ALTERNATIVE
20 EDUCATIONAL PROGRAMS, SECONDARY AREA
21 VOCATIONAL CENTERS, AND COMMUNITY-BASED
22 EDUCATION."

23
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 SECTION 1. Arkansas Code Annotated § 6-13-801 is amended to read as
27 follows:

28 "6-13-801. Authorization.

29 (a) Any two (2) or more school districts in this state are authorized
30 to enter into compacts, as authorized by this subchapter, to share or provide
31 educational facilities, resources, and opportunities, including without
32 limitation charter schools, alternative educational programs, secondary area
33 vocational centers, and community-based education programs, that the boards of
34 directors of the compacting school districts determine may be better and more
35 efficiently provided by such compact agreements rather than by each district
36 acting in its individual capacity.

1 (b) If all of the school districts that have entered into a compact are
 2 within the service area of the same education service cooperative, that
 3 education service cooperative is also authorized to enter into the compact."
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5 SECTION 2. Arkansas Code Annotated § 6-13-806 is amended to read as
 6 follows:

7 "6-13-806. Indebtedness and pledge of millage.

8 (a) Nothing Except as provided in subsection (b) of this section,
 9 nothing in this subchapter shall be construed to authorize any school district
 10 to incur bonded indebtedness and pledge millage rates for the acquisition of
 11 lands or the construction of buildings in any school district other than
 12 within the district so incurring that indebtedness and pledging that millage.

13 (b) A school district that is a member of a compact may incur bonded
 14 indebtedness and pledge millage rates for the acquisition of lands or the
 15 construction of buildings in a school district other than within the district
 16 so incurring that indebtedness and pledging that millage provided that:

17 (1) The other school district is a member of the compact;

18 (2) The lands or buildings are to be shared by the school
 19 districts pursuant to the compact; and

20 (3) The purpose of the compact is to share or provide charter
 21 schools, alternative educational programs, secondary area vocational centers,
 22 or community-based education programs."
 23

24 SECTION 3. Arkansas Code Annotated § 6-13-1017(c) is amended to read as
 25 follows:

26 "(c) Education service cooperatives may provide shared educational
 27 programs and services such as needs assessment and school improvement
 28 planning, staff development, curriculum development, itinerant teachers,
 29 instructional materials, adult and vocational education, programs for gifted
 30 and talented, education for children with disabilities, charter schools,
 31 alternative educational programs, secondary area vocational centers,
 32 community-based education programs, and other services which the State Board
 33 of Education may approve or which school districts may support with local
 34 funds."
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36 SECTION 4. Arkansas Code Annotated § 6-18-204 is amended to read as

1 follows:

2 "6-18-204. Attendance in another district - Conditions.

3 (a) The title of this section shall be "An Act Making It Legal for a
4 Student Living in One School District to Attend School in Another School
5 District Under Specified Conditions."

6 (b) A student may attend school in another district under the following
7 conditions:

8 ~~_____~~(b)(1) A student in grades nine through twelve (9-12) inclusive
9 may attend school in another district for the purpose of enrolling for courses
10 that will constitute not more than fifty percent (50%) of the classes taken by
11 him or her during the school day.

12 (2) Such classes shall be limited to those that are not offered
13 by the student's home district and are required by the student to meet his or
14 her educational objectives.

15 (3) In order to qualify for such attendance, the student shall
16 file a projected course of study with his or her principal or school counselor
17 prior to enrollment in another school, and subsequent enrollment may be
18 entered into only after it is determined that the desired courses cannot be
19 taken in the home district.

20 (4) The resident district of a student taking advantage of the
21 provisions of this section shall pay tuition to the district that student
22 attends in an amount not less than a proportion of the home district's state
23 equalization funding per student equal to a ratio that the number of classes
24 taken by a student outside his or her home district bears to the number of
25 total classes taken by the student.

26 (5)(A) A student wishing to take advantage of the provisions of
27 this subsection must have permission of the receiving district in order to
28 enroll in that district.

29 (B) The amount of tuition shall be agreed upon by both
30 districts prior to enrollment in the receiving district, except that if an
31 agreement cannot be reached by the opening date of the receiving school, an
32 appeal shall be made to the Associate Director of Finance and Administration
33 of the Department of Education within thirty (30) days from the opening date
34 of school, and his decision shall be final.

35 (C) Under these conditions, the student may enroll at the
36 beginning date of school in the receiving district.

1 (c)(1) A student may attend school in another district for the purpose
 2 of enrolling for charter schools, alternative education programs, secondary
 3 area vocational centers, or community-based education programs for which the
 4 resident district has entered into a compact with another district.

5 (2) The resident district of a student taking advantage of the
 6 provisions of this subsection shall pay tuition to the district that the
 7 student attends in the amount agreed upon in the compact.

8 ~~(e)(d)~~ Attendance of a student enrolled in another school under the
 9 provisions of subsections (b) and (c) of this section shall be counted for
 10 state aid purposes by the student's ~~home~~ resident district.

11 ~~(d)(e)~~ Eligibility for participation in inter-school activities by any
 12 such student shall be in accordance with regulations of the Arkansas
 13 Activities Association.

14 ~~(e) The resident district of a student taking advantage of the~~
 15 ~~provisions of this section shall pay tuition to the district which the student~~
 16 ~~attends in an amount not less than a proportion of the home district's state~~
 17 ~~aid table rate equal to a ratio that the number of classes taken by a student~~
 18 ~~outside his or her home district bears to the number of total classes taken by~~
 19 ~~the student. — (f)(1) A student wishing to take advantage of the provisions~~
 20 ~~of this section must have permission of the receiving district in order to~~
 21 ~~enroll in that district.~~

22 ~~(2) The amount of tuition shall be agreed upon by both districts prior to~~
 23 ~~enrollment in the receiving district, except that if an agreement cannot be~~
 24 ~~reached by the opening date of the receiving school, an appeal shall be made~~
 25 ~~to the Associate Director of Finance and Administration of the Department of~~
 26 ~~Education within thirty (30) days from the opening date of school, and his~~
 27 ~~decision shall be final.~~

28 ~~(3) Under these conditions, the student may enroll at the beginning date~~
 29 ~~of school in the receiving district.~~

30 ~~(g)(f)~~ The purpose of this section is not to be construed in any manner
 31 other than that of broadening the curriculum and program offerings that may be
 32 made available to students whose ~~home~~ resident district does not offer
 33 subjects or programs needed by such students to realize their educational
 34 objectives."

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36 SECTION 5. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 6. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 7. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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