

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: S3/13/01 S3/15/01*

## A Bill

SENATE BILL 892

5 By: Senator Mahony  
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### For An Act To Be Entitled

9 AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS  
10 CODE RELATIVE TO STUDENTS TRANSFERS FOR SCHOOL  
11 ATTENDANCE; AND FOR OTHER PURPOSES.  
12

### Subtitle

13 AN ACT TO AMEND VARIOUS SECTIONS OF THE  
14 ARKANSAS CODE RELATIVE TO STUDENTS  
15 TRANSFERS FOR SCHOOL ATTENDANCE.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code 6-18-203, pertaining to attendance in a  
22 school district other than the district of residence, is amended to read as  
23 follows:

24 6-18-203. Attendance in district other than district of residence.

25 (a) When any person owns a tract of land on which the person resides  
26 and which tract of land is located partially in one (1) school district and  
27 partially in another, the school-age children of that person shall ~~be~~  
28 ~~eligible to attend school in either of the school districts, regardless of~~  
29 ~~the location of the home on such lands~~ district in which the residence is  
30 located.

31 (b)(1) The children or wards of any person who is ~~an~~ at least a half-  
32 time employee of a public school in one (1) school district in this state or  
33 is employed full time by an educational cooperative and is a resident of  
34 another school district in this state shall be entitled to be enrolled in and  
35 to attend school in either the district in which the parent or guardian  
36 resides, the district in which the parent or guardian is ~~an~~ at least a half-

1 time employee of a public school, or any district located in the county in  
2 which the main office of the educational cooperative is located.

3 (2)(A) The General Assembly recognizes and embraces the  
4 responsibility of the state to promote desegregation of its schools and finds  
5 that this enactment affects such a limited class of students that  
6 desegregation will not be impeded. If, however, unforeseen circumstances  
7 result in a finding by a court that a school district is unlawfully  
8 segregated in whole or in part as a result of these provisions, the  
9 provisions in this subsection (b) shall not apply to the children or wards of  
10 teachers in that district.

11 (B) Therefore, the provisions in this subsection (b) shall  
12 not apply to the children or wards of those teachers who reside in school  
13 districts which may hereafter be found by a court to be unlawfully segregated  
14 if such finding is based upon segregation which was caused in whole or in  
15 part by the effects of these provisions.

16 (c) When any employee of the Department of Correction who lives on  
17 department property is transferred from one unit of the department to another  
18 unit, the children or wards of such employee shall be entitled to complete  
19 the school term in the district in which they are enrolled at the time the  
20 parent or guardian was transferred.

21 (d) Any child and that child's sibling or siblings currently attending  
22 a non-resident school under subsection (a) of this section, shall be allowed  
23 to complete all remaining school years at the non-resident district or may  
24 attend the resident district, if he or she so chooses.

25  
26 SECTION 2. Arkansas Code 6-18-316(f), pertaining to the school  
27 district transfer upon petition, is amended to read as follows:

28 (f) The Upon approval of the transfer by the resident district, the  
29 receiving district may also enter into a tuition agreement with either the  
30 resident district or the parents of the child or children involved, whereby  
31 the resident district or the parents will make tuition payments to the  
32 receiving district to compensate the district for local taxes not received on  
33 behalf of the child or children involved. The annual amount of the tuition  
34 shall not exceed the average amount of local property tax per pupil collected  
35 in the receiving district in the preceding year.

36 /s/ Mahony