

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/28/05 H4/7/05

A Bill

HOUSE BILL 2566

5 By: Representative Mahony
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For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR DISTANCE LEARNING; AND FOR
10 OTHER PURPOSES.

Subtitle

11 AN ACT TO PROVIDE FOR DISTANCE LEARNING.
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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 § 6-47-404 is amended to read as follows:*
19 *6-47-404. Establishment and implementation.*

20 *(a) There is established the Arkansas Distance Learning Development*
21 *~~Project~~ Program, which shall be conducted by the Department of Education and*
22 *administered through the Director of the Department of Education.*

23 *(b) The ~~project~~ program shall have four (4) focus areas:*

24 *(1) To help alleviate the increasing shortage of available*
25 *qualified teachers;*

26 *(2) To provide additional course-scheduling opportunities for*
27 *students currently forced to choose between courses that are scheduled*
28 *infrequently or ~~currently~~ concurrently;*

29 *(3) To provide an opportunity for students to access an enriched*
30 *curriculum and additional courses beyond those mandated by the Standards for*
31 *Accreditation of Arkansas Public Schools; and*

32 *(4) To develop and make available online professional*
33 *development and instructional resources for all teachers and administrators.*

34 *(c)(1)(A) The funding necessary to carry out the provisions of this*
35 *subchapter may be derived from donations, grants, or legislative*
36 *appropriation.*



1 (B) The ~~project~~ program shall receive from the Public
2 School Fund an amount equal to one-sixth (1/6) of the previous year's ~~base~~
3 ~~local revenue~~ state foundation funding per student for each student enrolled
4 in a course at the secondary level or for each subject at the elementary
5 level.

6 (2) The director may solicit and receive donations and grants
7 for the purpose of administering the program.

8 (3)(A) All donations, grants, and appropriations received shall
9 be accounted for by the department.

10 (B) Fund balances may be carried over from one year to the
11 next to continue the project.

12 (d) The director shall review the implementation of this program
13 annually and make recommendations to the State Board of Education regarding
14 the number and amount of awards to ensure that the purpose of the program is
15 achieved.

16 (e) The director may enter into contracts or provide grants to local
17 education agencies, education service cooperatives, or other entities for
18 personnel, facilities, and services necessary to implement this ~~project~~
19 program.

20 (f) Students taking courses through this ~~project~~ program shall be
21 considered entitled to any public education credits and grades assigned
22 through this ~~project~~ program, and those credits and grades shall be accepted
23 by all public schools in Arkansas.

24 (g) Courses offered or taught through the Arkansas Distance Learning
25 Development Program may be offered or taught to public school students,
26 private school students, and home school students in the State of Arkansas.

27 (h) A home school student or a private school student enrolled in a
28 distance learning course shall not be entitled to any rights, privileges,
29 courses, activities, or services available to a public school student or
30 open-enrollment charter school student other than receiving appropriate
31 credit for a completed distance learning course.

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34 SECTION 2. Arkansas Code Title 6, Chapter 47, Subchapter 4 is amended
35 to add an additional section to read as follows:

36 6-47-406. Public school district and charter school distance learning

1 program.

2 (a) Except as provided in subsection (b) of this section, a public
3 school district or open-enrollment charter school may offer and teach
4 distance learning courses to students enrolled in a private school or a home
5 school if:

6 (1) The student resides in the public school district where the
7 public school or open-enrollment charter school is located;

8 (2) The student agrees to physically attend the public school or
9 open-enrollment charter school for purposes of taking a distance learning
10 course taught or offered through the public school or charter school; and

11 (3) The public school or open-enrollment charter school teaches
12 or offers a distance learning course that has been approved by and otherwise
13 complies with Department of Education rules and standards governing distance
14 learning courses.

15 (b) The State Board of Education shall adopt rules to allow the
16 Director of the Department of Education to waive the requirements under
17 subdivisions (a)(1) and (2) of this section on an individual basis for a
18 student who is unable to attend due to conditions that prevent the child from
19 physically attending a public school or an open-enrollment charter school.

20 (c)(1) A public school district or open-enrollment charter school that
21 teaches or offers a distance learning course to one (1) or more home school
22 or private school students who meet the conditions of subsection (a) or (b)
23 of this section shall be entitled to an amount equal to one-sixth (1/6) of
24 the state foundation funding amount for each private school student or home
25 school student.

26 (2) However, under no circumstances shall a public school
27 district or open-enrollment charter school be entitled to more than the
28 equivalent of state foundation funding for one (1.0) average daily membership
29 per student regardless of the number of distance learning courses received by
30 a particular home school or private school student.

31 (d) A home school student or a private school student enrolled in a
32 distance learning course shall not be entitled to any rights, privileges,
33 courses, activities, or services available to a public school student or
34 open-enrollment charter school student other than receiving appropriate
35 credit for a completed distance learning course.

36 (e) This section shall not be construed to entitle a home school

1 student or private school student to participate in, enroll in, or attend any
2 other courses, activities, or services provided by a public school district
3 or an open-enrollment charter school.

4 (f) Any public school district or charter school seeking to offer or
5 teach distance learning courses to public school students, home school
6 students, or private school students must first have those course offerings
7 approved by the Department of Education Distance Learning Program.

8 (g) No public school district or open-enrollment charter school shall
9 establish or provide a virtual school or distance learning course except as
10 allowed by this section.

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12 /s/ Mahony
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