

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 86th General Assembly
3 Regular Session, 2007

A Bill

SENATE BILL 867

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5 By: Senator Steele
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For An Act To Be Entitled

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9 AN ACT TO PROVIDE ARKANSAS STUDENTS ATTENDING
10 CHARTER SCHOOLS AN OPTION TO OBTAIN AN EDUCATION
11 IN A GENDER-SPECIFIC LEARNING ENVIRONMENT; AND
12 FOR OTHER PURPOSES.
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Subtitle

14
15 AN ACT TO PROVIDE ARKANSAS STUDENTS
16 ATTENDING CHARTER SCHOOLS AN OPTION TO
17 OBTAIN AN EDUCATION IN A GENDER-SPECIFIC
18 LEARNING ENVIRONMENT.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 6-23-304, concerning the authorization for
24 open-enrollment charter schools, is amended to add an additional subsection
25 to read as follows:

26 (f) The department may authorize up to two (2) of the open-enrollment
27 charter schools established under this subchapter to operate as gender-
28 specific schools.
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30 SECTION 2. Arkansas Code § 6-23-306(6), concerning the contents of
31 charters for open-enrollment charter schools, is amended to read as follows:

32 (6) Prohibit discrimination in admissions policy on the basis of
33 sex, national origin, race, ethnicity, religion, disability, or academic or
34 athletic eligibility, except as follows:

35 (A) The charter may allow a weighted lottery to be used in
36 the student selection process when necessary to comply with Title VI of the



1 federal Civil Rights Act of 1964, Title IX of the federal Education
 2 Amendments of 1972, the equal protection clause of the Fourteenth Amendment
 3 to the United States Constitution, a court order, or a federal or state law
 4 requiring desegregation; ~~and~~

5 (B) The charter may provide for the exclusion of a student who
 6 has been expelled from another public school district in accordance with this
 7 title; and

8 (C) The charter may provide that an open-enrollment charter
 9 school will be gender-specific if the provisions of § 6-23-401(c)(1) are met.

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 11 SECTION 3. Arkansas Code § 6-23-401 is amended to add an additional
 12 subsection to read as follows:

13 (c)(1) An open-enrollment charter school may operate as a gender-
 14 specific school if all of the following conditions are met:

15 (A) The open-enrollment charter contains the following:

16 (i) The important educational objective for the
 17 gender-based classification;

18 (ii) How the gender-based classification is
 19 substantially related to the important educational objective; and

20 (iii) That student assignment to the gender-specific
 21 open-enrollment charter school is voluntary; and

22 (B) The open-enrollment charter school's governing body
 23 shall evaluate biennially whether the gender-specific classification
 24 continues to comply with the charter provisions contained in this subdivision
 25 (c)(1).

26 (2) The State Board of Education may revoke the charter of a
 27 gender-specific open-enrollment charter school that does not comply with the
 28 provisions of subdivision (c)(1) of this section.

29 (3) If the state board grants more than one (1) open-enrollment
 30 charter to the same eligible entity, and one (1) of the charters is for a
 31 gender-specific open-enrollment charter school, then at least one (1) of the
 32 other open-enrollment charters held by the eligible entity must provide for a
 33 substantially equal open-enrollment charter school for students excluded from
 34 the gender-specific open-enrollment charter school based on gender.

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