

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4
5 By: Senator E. Williams
6

A Bill

SENATE BILL 712

For An Act To Be Entitled

8 AN ACT TO ALLOW THE PARENT OF A MILITARY DEPENDENT
9 WHO RESIDES ON A MILITARY BASE TO CHOOSE WHICH SCHOOL
10 THE CHILD ATTENDS; AND FOR OTHER PURPOSES.
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Subtitle

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14 TO ALLOW THE PARENT OF A MILITARY
15 DEPENDENT WHO RESIDES ON A MILITARY BASE
16 TO CHOOSE WHICH SCHOOL THE CHILD ATTENDS.
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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 Title 6, Chapter 18, Subchapter 2 is amended
22 to add an additional section to read as follows:

23 6-18-231. Military dependents.

24 (a) As used in this section:

25 (1) "Military base" means a federal or state military
26 installation that is physically located in the state;

27 (2) "Military dependent" means a child who is enrolled in
28 kindergarten through grade twelve (K-12) whose parent is a full-time member
29 of the uniformed service of the armed forces of the United States including
30 members of the National Guard and Reserve;

31 (3) "Parent" means:

32 (A) The parent of a military dependent;

33 (B) The legal guardian of a military dependent;

34 (C) A person having legal, lawful control of a military
35 dependent under order of a court; or

36 (D) A person who stands in loco parentis of a military



1 dependent; and

2 (4) "School" means a public school that is located in the state.

3 (b)(1) Notwithstanding the residence requirements of § 6-18-202, the
4 parent of a military dependent who resides with the military dependent on a
5 military base may choose a school district and school where the military
6 dependent will attend school that is other than the resident school district
7 or the school regularly assigned by the resident school district.

8 (2) A school choice made under this section is not subject to
9 any other Arkansas school choice or school transfer law including without
10 limitation the:

11 (A) Arkansas Public School Choice Act of 1989, § 6-18-206;

12 (B) Arkansas Opportunity Public School Choice Act of 2004,
13 § 6-18-227; and

14 (C) Prohibition on transfers under § 6-18-317.

15 (c) The school district chosen by a parent under this section has the
16 legal responsibility for the education of the military dependent.

17 (d) The military dependent is counted as a part of the average daily
18 membership of the school district where the military dependent attends
19 school.

20 (e) The responsibility for transportation of the military dependent to
21 and from the chosen school is:

22 (1) Borne by the parent; or

23 (2)(A) As agreed in writing between the parent and the school
24 district where the military dependent attends school.

25 (B) The Department of Education shall approve any
26 agreement for a nonresident school district to transport the military
27 dependent to and from a school in a nonresident school district.

28 (f) The State Board of Education may promulgate rules for the
29 administration of this section.

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