

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H1/29/19
A Bill

HOUSE BILL 1175

5 By: Representatives Evans, C. Fite
6

7 **For An Act To Be Entitled**

8 AN ACT CONCERNING PUBLIC SCHOOL CHOICE; TO AMEND THE
9 PUBLIC SCHOOL CHOICE ACT OF 2015 AND THE ARKANSAS
10 OPPORTUNITY PUBLIC SCHOOL CHOICE ACT OF 2004; TO
11 AMEND THE DEADLINE BY WHICH A STUDENT WHO HAS A
12 PARENT OR GUARDIAN WHO RESIDES ON A MILITARY BASE MAY
13 APPLY FOR A TRANSFER UNDER THE PUBLIC SCHOOL CHOICE
14 ACT OF 2015 AND THE ARKANSAS OPPORTUNITY PUBLIC
15 SCHOOL CHOICE ACT OF 2004; AND FOR OTHER PURPOSES.
16
17

18 **Subtitle**

19 TO AMEND THE DEADLINE BY WHICH A STUDENT
20 WHO HAS A PARENT OR GUARDIAN WHO RESIDES
21 ON A MILITARY BASE MAY APPLY FOR A
22 TRANSFER UNDER THE PUBLIC SCHOOL CHOICE
23 ACT AND THE ARKANSAS OPPORTUNITY PUBLIC
24 SCHOOL CHOICE ACT.
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26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code § 6-18-227(b)(1)(B), concerning the time by
30 which an individual may apply for a transfer under the Arkansas Opportunity
31 Public School Choice Act of 2004, is amended to read as follows:

32 (B)(i) Except as provided in subdivision (b)(1)(B)(ii) of
33 this section, ~~The~~ the parent, guardian, or the student, if the student is
34 over eighteen (18) years of age, has notified the Department of Education and
35 both the sending and receiving school districts of the request for a transfer
36 no later than July 30 of the first year in which the student intends to



1 transfer.

2 (ii)(a) If a student has a parent or guardian who is
 3 an active-duty member of the military and who has been transferred to and
 4 resides on a military base, then the student's parent or guardian may submit
 5 a request for transfer under this section at any time during the calendar
 6 year.

7 (b) An application for transfer under
 8 subdivision (b)(1)(B)(ii)(a) of this section shall:

9 (1) Be filed with the nonresident school
 10 district within fifteen (15) days of the parent's or guardian's arrival on
 11 the military base;

12 (2) Include the parent's or guardian's
 13 military transfer orders; and

14 (3) Include the parent's or guardian's
 15 proof of residency on the military base.

16

17 SECTION 2. Arkansas Code § 6-18-227(b)(2)(A)(ii), concerning the
 18 Arkansas Opportunity Public School Choice Act of 2004, is amended to read as
 19 follows:

20 (ii)(a) A Except as provided in subdivision
 21 (b)(2)(A)(ii)(b) of this section, a transfer under this section is effective
 22 at the beginning of the next academic year.

23 (b) A transfer under this section for a
 24 student who has a parent or guardian who is an active-duty member of the
 25 military and who resides on a military base is effective upon the approval of
 26 the accepting school board at its next meeting.

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28 SECTION 3. Arkansas Code § 6-18-1905(a), concerning an application for
 29 a transfer under the Public School Choice Act of 2015, is amended to read as
 30 follows:

31 (a) If a student seeks to attend a school in a nonresident district,
 32 the student's parent shall submit an application:

33 (1) To the nonresident district, which shall notify the resident
 34 district of the filing of the application within ten (10) calendar days of
 35 receipt of the application;

36 (2)(A) On a form approved by the Department of Education; ~~and.~~

1 (B) If a student has a parent or guardian who is an
2 active-duty member of the military and who has been transferred to and
3 resides on a military base, then the student's parent or guardian shall file
4 an application for transfer under this section within fifteen (15) days of
5 the parent's or guardian's arrival on the military base, which shall include
6 without limitation the parent's or guardian's:

7 (i) Military transfer orders; and

8 (ii) Proof of residency on the military base; and

9 (3)(A) Postmarked no later than May 1 of the year in which the student
10 seeks to begin the fall semester at the nonresident district.

11 (B) However, if a student has a parent or guardian who is
12 an active-duty member of the military, then the student's application for a
13 transfer under this section is not subject to the May 1 deadline under
14 subdivision (a)(3)(A) of this section if the student's parent or legal
15 guardian:

16 (i) Has been transferred to and resides on a
17 military base; and

18 (ii) Provides military transfer orders that confirm
19 the date of transfer to the military base.

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21 SECTION 4. Arkansas Code § 6-18-1905(e), concerning an application for
22 a transfer under the Public School Choice Act of 2015, is amended to read as
23 follows:

24 (e)(1) ~~By~~ Except as provided in subdivision (e)(4) of this section, by
25 July 1 of the school year in which the student seeks to enroll in a
26 nonresident district under this subchapter, the superintendent of the
27 nonresident district shall notify the parent and the resident district in
28 writing as to whether the student's application has been accepted or
29 rejected.

30 (2) If the application is rejected, the superintendent of the
31 nonresident district shall state in the notification letter the reason for
32 rejection.

33 (3) If the application is accepted, the superintendent of the
34 nonresident district shall state in the notification letter a reasonable
35 deadline by which the student shall enroll in the nonresident district and
36 after which the acceptance notification is null.

