

1 State of Arkansas As Engrossed: H1/29/19 H1/31/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

HOUSE BILL 1175

4

5 By: Representatives Evans, C. Fite

6 By: Senator T. Garner

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For An Act To Be Entitled

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

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Subtitle

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

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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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30 SECTION 1. Arkansas Code § 6-18-227(b)(1)(B), concerning the time by
31 which an individual may apply for a transfer under the Arkansas Opportunity
32 Public School Choice Act of 2004, is amended to read as follows:

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(B)(i) Except as provided in subdivision (b)(1)(B)(ii) of
this section, ~~The~~ the parent, guardian, or the student, if the student is
over eighteen (18) years of age, has notified the Department of Education and
both the sending and receiving school districts of the request for a transfer



1 no later than July 30 of the first year in which the student intends to
2 transfer.

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

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

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

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

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

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

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

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

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

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

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

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

2 (B) If a student has a parent or guardian who is an
3 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 shall file
5 an application for transfer under this section within fifteen (15) days of
6 the parent's or guardian's arrival on the military base, which shall include
7 without limitation the parent's or guardian's:

8 (i) Military transfer orders; and

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

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

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

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

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

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

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

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

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

1 after which the acceptance notification is null.

2 (4) The July 1 deadline under subdivision (e)(1) of this section
3 does not apply in the case of an application received from a student who has
4 a parent or guardian who is an active-duty member of the military and who has
5 been transferred to and resides on a military base.

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/s/Evans

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