

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

As Engrossed: H2/18/19
A Bill

HOUSE BILL 1419

5 By: Representative Lowery
6

7 **For An Act To Be Entitled**

8 AN ACT CONCERNING THE ENROLLMENT OF A PRIVATE SCHOOL
9 OR HOME-SCHOOLED STUDENT IN AN ACADEMIC COURSE AT A
10 PUBLIC SCHOOL OR AN OPEN-ENROLLMENT PUBLIC CHARTER
11 SCHOOL; TO REQUIRE A PUBLIC SCHOOL DISTRICT AND AN
12 OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL TO ALLOW A
13 PRIVATE-SCHOOL OR A HOME-SCHOOL STUDENT TO ENROLL IN
14 AN ACADEMIC COURSE; TO ALLOW A PUBLIC SCHOOL DISTRICT
15 AND AN OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL TO SEEK
16 A WAIVER FROM THE REQUIREMENT TO ALLOW A PRIVATE-
17 SCHOOL OR A HOME-SCHOOL STUDENT TO ENROLL IN AN
18 ACADEMIC COURSE; AND FOR OTHER PURPOSES.
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21 **Subtitle**

22 TO AMEND THE LAW CONCERNING THE
23 ENROLLMENT IN AN ACADEMIC COURSE AT A
24 PUBLIC SCHOOL OR AN OPEN-ENROLLMENT
25 PUBLIC CHARTER SCHOOL OF A PRIVATE SCHOOL
26 OR HOME-SCHOOLED STUDENT.
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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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31 SECTION 1. Arkansas Code § 6-18-232(a) and (b), concerning a public
32 school district or open-enrollment public charter school policy allowing a
33 nonpublic student to enroll in an academic course, are amended to read as
34 follows:

35 (a) A Except as provided under subsection (d) of this section, a
36 public school district or an open-enrollment public charter school ~~may~~ shall



1 adopt a policy ~~to allow~~ that allows a student who attends a private school or
2 a home school to enroll in an academic course at a public school or an open-
3 enrollment public charter school if the student resides in the public school
4 district where the public school or open-enrollment public charter school is
5 located.

6 (b) A policy adopted by a public school district or open-enrollment
7 public charter school under subsection (a) of this section may:

8 (1)(A) ~~Set admissions criteria determined by the public school~~
9 ~~district or open enrollment public charter school;~~ Include provisions that
10 apply to a private school or home-schooled student who is enrolled in an
11 academic course at a public school or open-enrollment public charter school,
12 including without limitation provisions regarding:

13 (i) Academic or grade-level prerequisites;

14 (ii) Attendance;

15 (iii) Testing;

16 (iv) Coursework;

17 (v) Grades; and

18 (vi) Conduct.

19 (B) The provisions included under subdivision (b)(1)(A) of
20 this section shall be consistent with provisions included in the public
21 school district's or open-enrollment public charter school's policies that
22 apply to public school students;

23 (2) Allow a student who attends a private school or a home
24 school to enroll in one (1) or more academic courses in a semester; and

25 (3) Limit enrollment if the enrollment of a private school or
26 home-schooled student would:

27 (A) ~~To certain academic courses or grade levels~~ Create a
28 financial loss for the public school district or open-enrollment public
29 charter school; or

30 (B) ~~Based on other criteria determined by the public~~
31 ~~school district or open enrollment public charter school~~ Violate any state or
32 federal law or any rule established by the Department of Education.

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34 SECTION 2. Arkansas Code § 6-18-232(d), concerning a public school
35 district or open-enrollment public charter school policy allowing a nonpublic
36 student to enroll in an academic course, is amended to read as follows:

1 ~~(d) This section does not require a~~ A public school district or an
2 open-enrollment public charter school to allow a student who attends a
3 private school or a home school to enroll in an academic course at a public
4 school or an open-enrollment public charter school may seek a waiver from the
5 department from the requirements under this section.
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7 SECTION 3. Arkansas Code § 6-18-232, concerning the enrollment of
8 private school or home-schooled students in public school districts and open-
9 enrollment public charter schools, is amended to add additional subsections
10 to read as follows:

11 (e) A public school district or open-enrollment public charter school
12 under this section:

13 (1) May provide transportation for a private school or home-
14 schooled student to or from the location of the academic course; and

15 (2) Shall provide a final grade and transcript to each private
16 school or home-schooled student who completes an academic course in which the
17 student is enrolled at a public school or open-enrollment public charter
18 school.

19 (f)(1) A private school or home-schooled student is not considered
20 truant from a public school or open-enrollment public charter school under
21 this section due to unexcused absences from the academic course in which the
22 private school or home-schooled student is enrolled.

23 (2) However, a public school or open-enrollment public charter
24 school may drop a private school or home-schooled student from an academic
25 course in the event of excessive unexcused absences or any other violation of
26 policies regarding the academic course in which the private school or home-
27 schooled student is enrolled.

28 (g) This section does not apply to a statewide open-enrollment public
29 charter school that operates primarily as a virtual school.
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31 /s/Lowery
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