

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

A Bill

HOUSE BILL 1457

5 By: Representative Richey
6

For An Act To Be Entitled

8 AN ACT CONCERNING PUBLIC SCHOOL CHOICE AND ATHLETIC
9 ELIGIBILITY; TO PROVIDE THAT A STUDENT WHO TRANSFERS
10 UNDER THE ARKANSAS OPPORTUNITY PUBLIC SCHOOL CHOICE
11 ACT OF 2004 OR THE PUBLIC SCHOOL CHOICE ACT OF 2015
12 IS IMMEDIATELY ELIGIBLE FOR PARTICIPATION IN AN
13 ATHLETIC ACTIVITY IF THE STUDENT MEETS CERTAIN
14 REQUIREMENTS; AND FOR OTHER PURPOSES.
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Subtitle

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18 TO PROVIDE THAT A STUDENT WHO TRANSFERS
19 UNDER THE ARKANSAS OPPORTUNITY PUBLIC
20 SCHOOL CHOICE ACT OR THE PUBLIC SCHOOL
21 CHOICE ACT IS IMMEDIATELY ELIGIBLE FOR
22 PARTICIPATION IN AN ATHLETIC ACTIVITY IF
23 THE STUDENT MEETS CERTAIN REQUIREMENTS.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 1, is amended
29 to add an additional section to read as follows:

30 6-18-110. Public school choice – Athletic eligibility.

31 (a) The purpose of this section is to ensure that all students who
32 attend a public school in a public school district that meets their
33 particular needs are able to take advantage of the school district's
34 educational and athletic opportunities.

35 (b) As used in this section:

36 (1) "Athletic activity" means a varsity sport or other



1 competitive sports-related contest, game, event, or exhibition that involves
2 an individual student or teams of students and takes place between schools,
3 whether or not the schools are in the same school district;

4 (2) "Nonresident public district" means a school district to
5 which a student transfers that is not the student's resident school district;

6 (3) "Resident school district" means the public school district
7 in which a student resides, as determined under § 6-18-202;

8 (4) "Student" means a public school district student; and

9 (5) "Transfer" means the transition from one public school
10 district to another public school district by a student under the Arkansas
11 Opportunity Public School Choice Act of 2004, § 6-18-227, or the Public
12 School Choice Act of 2015, § 6-18-1901 et seq.

13 (c) Except as provided under subdivision (d)(1) of this section, a
14 student is eligible for participation in an athletic activity immediately
15 upon being accepted for a transfer to a nonresident school district if the
16 student has:

17 (1) Obtained a minimum grade point average of 2.0;

18 (2) Been accepted by the nonresident school district between May
19 1 and June 30 of the current school year; and

20 (3) Registered with the nonresident school district by July 15.

21 (d)(1) A student's resident school district may contest a student's
22 immediate eligibility under subsection (c) of this section if the resident
23 school district can provide proof to the Arkansas Activities Association that
24 the student was recruited by the nonresident school district for purposes of
25 an athletic activity.

26 (2) If a student is found to have been recruited by a
27 nonresident school district for purposes of an athletic activity under
28 subdivision (d)(1) of this section, the Arkansas Activities Association may
29 deny the student eligibility in the athletic activity for a period of up to
30 three hundred and sixty (360) days.

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