

State of Arkansas
92nd General Assembly
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As Engrossed: H2/18/19
A Bill

HOUSE BILL 1419

By: Representative Lowery

For An Act To Be Entitled

AN ACT CONCERNING THE ENROLLMENT OF A PRIVATE SCHOOL OR HOME-SCHOOLED STUDENT IN AN ACADEMIC COURSE AT A PUBLIC SCHOOL OR AN OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL; TO REQUIRE A PUBLIC SCHOOL DISTRICT AND AN OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL TO ALLOW A PRIVATE-SCHOOL OR A HOME-SCHOOL STUDENT TO ENROLL IN AN ACADEMIC COURSE; TO ALLOW A PUBLIC SCHOOL DISTRICT AND AN OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL TO SEEK A WAIVER FROM THE REQUIREMENT TO ALLOW A PRIVATE-SCHOOL OR A HOME-SCHOOL STUDENT TO ENROLL IN AN ACADEMIC COURSE; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE ENROLLMENT IN AN ACADEMIC COURSE AT A PUBLIC SCHOOL OR AN OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL OF A PRIVATE SCHOOL OR HOME-SCHOOLED STUDENT.

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

SECTION 1. Arkansas Code § 6-18-232(a) and (b), concerning a public school district or open-enrollment public charter school policy allowing a nonpublic student to enroll in an academic course, are amended to read as follows:

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



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

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

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

(i) Academic or grade-level prerequisites;

(ii) Attendance;

(iii) Testing;

(iv) Coursework;

(v) Grades; and

(vi) Conduct.

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

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

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

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

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

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

~~(d) This section does not require a~~ A public school district or an open-enrollment public charter school to allow a student who attends a private school or a home school to enroll in an academic course at a public school or an open-enrollment public charter school may seek a waiver from the department from the requirements under this section.

SECTION 3. Arkansas Code § 6-18-232, concerning the enrollment of private school or home-schooled students in public school districts and open-enrollment public charter schools, is amended to add additional subsections to read as follows:

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

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

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

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

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

(g) This section does not apply to a statewide open-enrollment public charter school that operates primarily as a virtual school.

/s/Lowery

APPROVED: 3/12/19