

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas      *As Engrossed: H1/29/19 H1/31/19*  
92nd General Assembly      **A Bill**  
Regular Session, 2019

HOUSE BILL 1175

By: Representatives Evans, C. Fite

*By: Senator T. Garner*

### **For An Act To Be Entitled**

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

### **Subtitle**

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

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

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

(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



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

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

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

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

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

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

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

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

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

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

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

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

(2)(A) On a form approved by the Department of Education, and,

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

(i) Military transfer orders; and

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

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

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

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

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

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

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

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

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

after which the acceptance notification is null.

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

/s/Evans