

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1457

By: Representative Richey

For An Act To Be Entitled

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

Subtitle

TO PROVIDE THAT A STUDENT WHO TRANSFERS UNDER THE ARKANSAS OPPORTUNITY PUBLIC SCHOOL CHOICE ACT OR THE PUBLIC SCHOOL CHOICE ACT IS IMMEDIATELY ELIGIBLE FOR PARTICIPATION IN AN ATHLETIC ACTIVITY IF THE STUDENT MEETS CERTAIN REQUIREMENTS.

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

SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 1, is amended to add an additional section to read as follows:

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

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

(b) As used in this section:

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



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

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

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

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

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

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

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

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

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

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

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