

Document:

A.C.A. § 6-15-103



< 1 of 6 | Results list >

< Previous

Next >

A.C.A. § 6-15-103**Copy Citation**

Current through Act 1112 of the 2021 Regular Session and through all acts of the First Extraordinary Session, including corrections and edits by the Arkansas Code Revision Commission

[AR - Arkansas Code Annotated](#) [Title 6 Education](#) [Subtitle 2. Elementary and Secondary Education Generally](#) [Chapter 15 Educational Standards and Quality Generally](#) [Subchapter 1 – General Provisions](#)

6-15-103. School district waivers.

- (a) A public school district may petition the State Board of Education for all or some of the waivers granted to an open-enrollment public charter school.
- (b) The petition for all or some of the waivers granted to an open-enrollment public charter school that is submitted by a public school district shall include without limitation:
- (1) The name of the open-enrollment public charter school that has the requested waiver; and
 - (2) A list of the waivers that the public school district seeks to have granted.
- (c)
- (1)
- (A) The state board shall grant or deny, in whole or in part, a petition for a waiver submitted by a public school district within ninety (90) days of receiving the petition.
- (B)
- (i) The Division of Elementary and Secondary Education may request additional information if necessary.
- (ii) If the division determines that additional information is necessary, the state board shall grant or deny, in whole or in part, the petition for a waiver within ninety (90) days of receiving the requested additional information.
- (2) The state board shall notify the superintendent of the public school district in writing of the decision of the state board.
- (3) A waiver that is granted to a public school district, in whole or in part, shall be valid for the duration approved by the state board not to exceed the duration that the waiver is valid for the open-enrollment charter school.
- (4) A waiver under this section shall not be granted for a period of time exceeding five (5) years.
- (d) The division may promulgate rules to implement this section.
- (e)
- (1) To conduct a review of a waiver granted under this section, the state board shall:
- (A)
- (i)
- (a) Give a public school district superintendent and a local public school district board of directors' president at least fifteen (15) business days' notice in writing and by electronic mail of the state board's intent to conduct a review.
- (b) Notification required under subdivision (e)(1)(A)(i)(a) of this section shall include the time, date, and location at which the review under this section will be conducted.
- (ii) A failure to notify a public school superintendent and a local public school district board of directors' president as required under subdivision (e)(1)(A)(i) of this section shall result in a waiver of the right of the state board to conduct a review under this section until the notification requirement under subdivision (e)(1)(A)(i) of this section is met;
- (B) Provide the specific reason for the state board's intent to conduct a review; and

- (C) State additional information that is required by the division or the public school district.
- (2) Following a review of a waiver granted under this section, the state board may modify, in whole or in part, or revoke, in whole or in part, a waiver granted under this section.

History

[Acts 2015, No. 1240, § 1](#); [2019, No. 815, § 1](#); [2021, No. 678, § 1](#); [2021, No. 774, §§ 1-3](#).

▼ Annotations

Notes

Amendments.

The 2019 amendment, inserted "public" preceding "school" throughout the section; deleted "that draws students from the school district" at the end of (a); added "without limitation" at the end of the introductory language of (b); substituted "has the requested waiver" for "draws students from the school district" in (b)(1); in (c)(3), inserted "to a public school district" and "approved by the state board not to exceed the duration", and substituted "waiver is" for "waivers are"; and added (c)(4) and (d).

The 2021 amendment by No. 678 added (e).

The 2021 amendment by No. 774 deleted former (b)(2) and redesignated former (b)(3) as (b)(2); added (c)(1)(B), and redesignated former (c)(1) as (c)(1)(A); substituted "division" for "Division of Elementary and Secondary Education" in (d); and made a stylistic change.

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[< Previous](#)

[Next >](#)



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