

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 2325 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

As Engrossed: H3/28/05 H4/7/05

A Bill

HOUSE BILL 2566

4  
5 By: Representative Mahony  
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8 **For An Act To Be Entitled**

9 AN ACT TO PROVIDE FOR DISTANCE LEARNING; AND FOR  
10 OTHER PURPOSES.

11  
12 **Subtitle**

13 AN ACT TO PROVIDE FOR DISTANCE LEARNING.  
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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18 *SECTION 1. Arkansas Code § 6-47-404 is amended to read as follows:*  
19 *6-47-404. Establishment and implementation.*

20 *(a) There is established the Arkansas Distance Learning Development*  
21 *~~Project~~ Program, which shall be conducted by the Department of Education and*  
22 *administered through the Director of the Department of Education.*

23 *(b) The ~~project~~ program shall have four (4) focus areas:*

24 *(1) To help alleviate the increasing shortage of available*  
25 *qualified teachers;*

26 *(2) To provide additional course-scheduling opportunities for*  
27 *students currently forced to choose between courses that are scheduled*  
28 *infrequently or ~~currently~~ concurrently;*

29 *(3) To provide an opportunity for students to access an enriched*  
30 *curriculum and additional courses beyond those mandated by the Standards for*  
31 *Accreditation of Arkansas Public Schools; and*

32 *(4) To develop and make available online professional*  
33 *development and instructional resources for all teachers and administrators.*

34 *(c)(1)(A) The funding necessary to carry out the provisions of this*  
35 *subchapter may be derived from donations, grants, or legislative*



1 appropriation.

2 (B) The ~~project~~ program shall receive from the Public  
3 School Fund an amount equal to one-sixth (1/6) of the previous year's ~~base~~  
4 ~~local revenue~~ state foundation funding per student for each student enrolled  
5 in a course at the secondary level or for each subject at the elementary  
6 level.

7 (2) The director may solicit and receive donations and grants  
8 for the purpose of administering the program.

9 (3)(A) All donations, grants, and appropriations received shall  
10 be accounted for by the department.

11 (B) Fund balances may be carried over from one year to the  
12 next to continue the project.

13 (d) The director shall review the implementation of this program  
14 annually and make recommendations to the State Board of Education regarding  
15 the number and amount of awards to ensure that the purpose of the program is  
16 achieved.

17 (e) The director may enter into contracts or provide grants to local  
18 education agencies, education service cooperatives, or other entities for  
19 personnel, facilities, and services necessary to implement this ~~project~~  
20 program.

21 (f) Students taking courses through this ~~project~~ program shall be  
22 considered entitled to any public education credits and grades assigned  
23 through this ~~project~~ program, and those credits and grades shall be accepted  
24 by all public schools in Arkansas.

25 (g) Courses offered or taught through the Arkansas Distance Learning  
26 Development Program may be offered or taught to public school students,  
27 private school students, and home school students in the State of Arkansas.

28 (h) A home school student or a private school student enrolled in a  
29 distance learning course shall not be entitled to any rights, privileges,  
30 courses, activities, or services available to a public school student or  
31 open-enrollment charter school student other than receiving appropriate  
32 credit for a completed distance learning course.

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35 SECTION 2. Arkansas Code Title 6, Chapter 47, Subchapter 4 is amended  
36 to add an additional section to read as follows:

1           6-47-406. Public school district and charter school distance learning  
2 program.

3           (a) Except as provided in subsection (b) of this section, a public  
4 school district or open-enrollment charter school may offer and teach  
5 distance learning courses to students enrolled in a private school or a home  
6 school if:

7           (1) The student resides in the public school district where the  
8 public school or open-enrollment charter school is located;

9           (2) The student agrees to physically attend the public school or  
10 open-enrollment charter school for purposes of taking a distance learning  
11 course taught or offered through the public school or charter school; and

12           (3) The public school or open-enrollment charter school teaches  
13 or offers a distance learning course that has been approved by and otherwise  
14 complies with Department of Education rules and standards governing distance  
15 learning courses.

16           (b) The State Board of Education shall adopt rules to allow the  
17 Director of the Department of Education to waive the requirements under  
18 subdivisions (a)(1) and (2) of this section on an individual basis for a  
19 student who is unable to attend due to conditions that prevent the child from  
20 physically attending a public school or an open-enrollment charter school.

21           (c)(1) A public school district or open-enrollment charter school that  
22 teaches or offers a distance learning course to one (1) or more home school  
23 or private school students who meet the conditions of subsection (a) or (b)  
24 of this section shall be entitled to an amount equal to one-sixth (1/6) of  
25 the state foundation funding amount for each private school student or home  
26 school student.

27           (2) However, under no circumstances shall a public school  
28 district or open-enrollment charter school be entitled to more than the  
29 equivalent of state foundation funding for one (1.0) average daily membership  
30 per student regardless of the number of distance learning courses received by  
31 a particular home school or private school student.

32           (d) A home school student or a private school student enrolled in a  
33 distance learning course shall not be entitled to any rights, privileges,  
34 courses, activities, or services available to a public school student or  
35 open-enrollment charter school student other than receiving appropriate  
36 credit for a completed distance learning course.



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