

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senator Hopkins**

# A Bill

**SENATE BILL**

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

8 "AN ACT TO ESTABLISH THE 'QUALITY SCHOOL PROGRAM' WITHIN  
9 THE DEPARTMENT OF EDUCATION; AND FOR OTHER PURPOSES."

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

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13 SECTION 1. It is found and determined by the General Assembly that the  
14 citizens of many school districts have made exceptional efforts to raise the  
15 local funding needed to maintain their school districts and to provide a  
16 quality education for their children; that citizens who make such a commitment  
17 to education should be guaranteed that their efforts will not be nullified by  
18 a future forced consolidation based on the number of students attending school  
19 within the school district; and that the uncertainty of future efforts to  
20 force the consolidation of school districts hinders efforts to raise local  
21 funding. Therefore, it is the purpose of this act to encourage the citizens  
22 of all school districts to support their schools by providing a guarantee that  
23 school districts participating in the program established by this act will not  
24 be forced to consolidate because of the number of students attending school  
25 within the school district.

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27 SECTION 2. (a) There is created in the Department of Education a  
28 program to be know as the "Quality School Program." Any school district, by a  
29 majority vote of the board of directors of the school district, may elect to  
30 participate in the program. To qualify for the program the school district  
31 must file a copy of the school board's resolution with the Director of the  
32 Department of Education by December 1, 1991. The board of directors of a  
33 school district electing to participate in the program and the Director of the  
34 Department of Education, on behalf of the State of Arkansas, shall enter into  
35 a contract obligating the parties to preform the requirements of subsection

1 (b) of this section.

2 (b)(1) A participating school district shall pay to the Department of  
3 Education a fee of one hundred dollars (\$100).

4 (2) A participating school district shall pledge to meet all  
5 minimum education standards imposed by state law and regulations on the  
6 effective date of this act, except that:

7 (A) A participating school district shall not be required  
8 to meet standards based on the number of students attending school within the  
9 school district; and

10 (B) If less stringent standards are adopted by law or  
11 regulation, the school district shall be deemed to have complied with the  
12 requirements of this subdivision by meeting the new less stringent standards.

13 (3) For a period of twenty (20) years after the school district  
14 enters the program, the state of Arkansas shall not require the consolidation  
15 annexation, merger, or abolition of a participating school district for  
16 failure to meet any state standard based on school districts size.

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18 SECTION 3. (a) If a participating school district fails to meet the  
19 standards required under this act, the Department of Education shall notify  
20 the school board in writing of the deficiency. The school district shall have  
21 one (1) year after receiving the notice to correct the deficiency. If the  
22 Director of the Department of Education determines that the school district  
23 failed to correct the deficiency the school district shall no longer be exempt  
24 from standards based on minimum school district size.

25 (b) A school board may enforce the provisions of this act in an action  
26 for injunctive relief filed in chancery court in the judicial district in  
27 which the school district exists.

28 (c) A school district, by a resolution adopted by the school board, may  
29 waive its rights provided by a contract executed pursuant to this act.

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31 SECTION 4. (a) This act shall not be interpreted to restrict the  
32 consolidation, annexation, merger or abolition of a school district for racial  
33 integration purposes as ordered by a court of competent jurisdiction.

34 (b) This act shall not be interpreted to prohibit the Department of  
35 Education from enforcing any education standard except standards based on

1 minimum school district size as provided in this act.

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3         SECTION 5. All provisions of this act of a general and permanent nature  
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
5 Revision Commission shall incorporate the same in the Code.

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7         SECTION 6. If any provision of this Act or the application thereof to  
8 any person or circumstance is held invalid, such invalidity shall not affect  
9 other provisions or applications of the Act which can be given effect without  
10 the invalid provision or application, and to this end the provisions of this  
11 Act are declared to be severable.

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13         SECTION 7. All laws or parts of laws in conflict with this act are  
14 hereby repealed.

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