

1 State of Arkansas *As Engrossed: H12/16/03 H12/19/03 S1/5/04 S1/7/04 S1/13/04* Call Item 4

2 84th General Assembly **A Bill**

3 Second Extraordinary Session, 2003 HOUSE BILL 1018

4

5 By: Representatives Boyd, Cleveland, Milligan, Jacobs, Seawel, Hathorn, House, Bennett, King, Fite,
6 Weaver, Rankin, Adams, Berry, Gillespie, Norton

7 By: Senators Gullett, Horn, Lavery, Wooldridge, J. Jeffress, Miller, *J. Bookout*

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10 **For An Act To Be Entitled**

11 AN ACT TO PROVIDE FOR THE CONTINUED SUPPORT OF
12 ISOLATED SCHOOL DISTRICTS; AND FOR OTHER
13 PURPOSES.

14

15 **Subtitle**

16 AN ACT TO PROVIDE FOR THE CONTINUED
17 SUPPORT OF ISOLATED SCHOOL DISTRICTS.

18

19

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

21 SECTION 1. Arkansas Code Title 6, Chapter 20, Subchapter 6 is amended
22 to add an additional section to read as follows:

23 6-20-602. Designated isolated districts.

24 The following school districts are designated as isolated districts
25 under § 6-20-601 and shall not be subject to consolidation, annexation, or
26 reorganization solely because of the school district's average daily
27 membership:

28 (1) Alread School District;

29 (2) Delta Special School District;

30 (3) Biggers-Reyno School District;

31 (4) Bright Star School District;

32 (5) Marion County School District;

33 (6) Carthage School District;

34 (7) Cord-Charlotte School District;

35 (8) Deer School District;

36 (9) Delaplaine School District;



- 1 (10) Elaine School District;
- 2 (11) Evening Shade School District;
- 3 (12) Fourche Valley School District;
- 4 (13) Gillett School District;
- 5 (14) Kingston School District;
- 6 (15) Lynn School District;
- 7 (16) Mount Judea School District;
- 8 (17) Mount Pleasant School District;
- 9 (18) Oark School District;
- 10 (19) Oden School District;
- 11 (20) Paron School District;
- 12 (21) Randolph County School District;
- 13 (22) River Valley School District;
- 14 (23) Rural Special School District;
- 15 (24) Scotland School District;
- 16 (25) Sparkman School District;
- 17 (26) St. Joe School District;
- 18 (27) St. Paul School District;
- 19 (28) Stone County School District;
- 20 (29) Taylor School District;
- 21 (30) Umpire School District;
- 22 (31) Williford School District;
- 23 (32) Winslow School District;
- 24 (33) Swifton School District;
- 25 (34) Concord School District; and
- 26 (35) Weiner School District.

27
28 SECTION 2. Arkansas Code § 6-20-601(a), concerning funding for
29 isolated school districts, is amended to read as follows:

30 (a) ~~As~~ Effective for the 2004-2005 school year and each school year
31 thereafter, as used in this section, "isolated school district" means a
32 school district that is listed under § 6-20-602 and that meets any four (4)
33 of the following five (5) criteria:

34 (1) There is a distance of twelve (12) miles or more by hard-
35 surfaced highway from the high school of the district to the nearest adjacent
36 high school in an adjoining district;

1 (2) The density ratio of transported students is less than ~~three~~
2 ~~(3) four~~ (4) students per square mile of area;

3 (3) The total area of the district is ~~ninety-five square miles~~
4 ~~(95 sq. mi.)~~ eighty square miles (80 sq. mi.) or greater;

5 (4) Less than fifty percent (50%) of bus route miles is on hard-
6 surfaced roads; and

7 (5) There are geographic barriers such as lakes, rivers, and
8 mountain ranges which would impede travel to schools that otherwise would be
9 appropriate for consolidation, cooperative programs, and shared services.

10
11 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
12 General Assembly of the State of Arkansas that the Arkansas Supreme Court in
13 Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the
14 current system of education to be unconstitutional because it is both
15 inequitable and inadequate; and the Arkansas Supreme Court set forth the test
16 for a constitutional system to be one in which the State has an "absolute
17 duty" to provide an "equal opportunity to an adequate education"; and the
18 Arkansas Supreme Court instructed the General Assembly to define and provide
19 what is necessary to provide an adequate and equitable education for the
20 children of Arkansas; that in the process of restructuring school districts
21 certain areas of the state need to be afforded protection from consolidation
22 prior to any restructuring. Therefore, an emergency is declared to exist and
23 this act being immediately necessary for the preservation of the public
24 peace, health, and safety shall become effective on:

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,
27 the expiration of the period of time during which the Governor may veto the
28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is
30 overridden, the date the last house overrides the veto.

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32 /s/ Boyd
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