

1 State of Arkansas  
2 84th General Assembly  
3 Second Extraordinary Session, 2003  
4

Call Item 4

# A Bill

HOUSE BILL 1160

5 By: Representatives Dees, Green, Borhauer, Agee, Walters  
6 By: Senators Gullett, Miller  
7

## For An Act To Be Entitled

10 AN ACT TO REQUIRE THE RESTRUCTURING OF ANY SCHOOL  
11 DISTRICT NOT MEETING STANDARDS; AND FOR OTHER  
12 PURPOSES.  
13

## Subtitle

15 AN ACT TO REQUIRE THE RESTRUCTURING OF  
16 ANY SCHOOL DISTRICT NOT MEETING  
17 STANDARDS.  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 6, Chapter 15 is amended to add an  
23 additional subchapter to read as follows:

24 6-15-2301. School districts.

25 (a) For purposes of this subchapter, "restructure" means the joining  
26 of two (2) or more school districts to create one (1) new school district.

27 (b) Notwithstanding any other law to the contrary, no school district  
28 shall be administratively consolidated, consolidated, annexed, or otherwise  
29 reorganized based upon the school district's size or average daily  
30 membership.

31 (c) Each public school district in the state shall:

32 (1) Annually teach all thirty-eight (38) units required for  
33 grades nine through twelve (9-12) under the Standards for Accreditation of  
34 Arkansas Public Schools as adopted by the State Board of Education;

35 (2) The courses shall be taught by a teacher certified for the  
36 grade level and subject matter in which he or she is teaching or a person who



1 is otherwise qualified as allowed by the rules of the state board; and

2 (3) All certified teachers required under this section shall be  
 3 paid no less than the minimum salary as required by law.

4 (d) Any school district not in compliance with the provisions of  
 5 subsection (c) of this section by September 1, 2004, shall be restructured by  
 6 the state board effective July 1, 2005.

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 8 6-15-2302. Restructuring procedure.

9 (a)(1) By September 1, 2004, the State Board of Education shall notify  
 10 any school district failing to comply with § 6-15-2301(c), and those  
 11 districts shall be allowed to voluntarily restructure by submitting a  
 12 petition for restructuring to the state board by January 1, 2005, for the  
 13 state board's approval.

14 (2) Any school district subject to restructuring under this  
 15 subchapter that does not receive approval by the State Board of Education of  
 16 a voluntary consolidation petition, by March 1, 2005, shall be restructured  
 17 by the state board with or into other school districts by June 1, 2005, to be  
 18 effective on July 1, 2005.

19 (b) Any school district required to be restructured under this  
 20 subchapter shall be restructured in such a manner as to create a resulting  
 21 district with a three-quarter average daily membership meeting or exceeding  
 22 five hundred (500) students.

23 (c)(1) All restructuring under this subchapter shall be accomplished  
 24 so as not to create a school district that hampers, delays, or in any manner  
 25 negatively affects the desegregation of another school district in this state  
 26 and shall be in compliance with consolidation procedures as set forth §§ 6-  
 27 13-1401 through 6-13-1410, except the state board shall need no additional  
 28 authority from the affected districts to effectuate the requirements of this  
 29 subchapter.

30 (2) The State Board of Education may receive and hear petitions  
 31 or move on its own motion to restructure a school district under this  
 32 subchapter.

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 34 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 35 General Assembly of the State of Arkansas that the Arkansas Supreme Court has  
 36 found the current system of public education in the state to be inadequate

1 and inequitable; and that this act is immediately necessary to comply with  
2 the Supreme Court's decision in the Lake View case. Therefore, an emergency  
3 is declared to exist and this act being immediately necessary for the  
4 preservation of the public peace, health, and safety shall become effective  
5 on:

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

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

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

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