

Act 872 of the 1989 Regular Session.

Act 872

HB1694

By: Representatives Flanagan and Mahony

"AN ACT TO PERMIT A LOCAL OPTION TO ELECT SCHOOL DISTRICT BOARD OF DIRECTORS FROM SINGLE MEMBER ZONES; TO ESTABLISH A PROCEDURE FOR CREATION OF A NEW SCHOOL BOARD FOLLOWING THE ELECTION; AND FOR OTHER PURPOSES."

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

SECTION 1. (a) Qualified electors of a school district may, by petition, have placed on the ballot of any annual school election the issue to determine whether to elect school district board of directors from single-member zones.

(b) The petitions calling for such an issue to be placed on the ballot shall be signed by not less than ten percent (10%) of the qualified electors of the district, based upon the total number of registered voters in the district.

(c) The petitions may be circulated between ninety (90) days and forty-five (45) days prior to the election date.

(d) The petitions shall be filed with the county election commission of the county in which the largest portion of the school district lies.

SECTION 2. (a) Within ten (10) days of the receipt and verification of the sufficiency of the petitions, the county election commission shall notify the board of directors of the affected school district that the issue shall be placed on the ballot of the next school election.

(b) The county election commission shall specify the wording of the ballot to be used to determine whether to elect school district board of directors from single-member zones.

SECTION 3. If a majority of the qualified electors of the school district shall vote for the election of school district board of directors from single-member districts, the county election commission of the county in which the largest portion of the school district lies shall establish within the school district boundaries for the election of directors of the school board which shall have substantially equal population based on the most recent available census information and from which racial minorities may be represented on the board in proportions reflected in the district population as a whole.

SECTION 4. Upon passage, the length of terms of persons serving on the board of directors of a school district shall be reduced or lengthened to comply with this section. At the time of the passage, the board of directors shall draw lots to determine which zone positions their board position shall represent until a qualified board member from that zone can be elected. The board of directors shall then draw lots to stagger the lengths of terms of the various zones. The zone terms shall be staggered so that one-third, or to the nearest whole number, of the zones shall be subject to election at the next regular school election, one-third, or to the nearest whole number, of the zones shall be subject to election at the next following regular school election, and one-third, or any remaining number, of the zones shall be

subject to election at the second subsequent regular school election. Thereafter, the members of the board of directors of the school district shall be elected for a three (3) year term. Provided, any member of the board shall hold office until his successor has been elected and qualified. A member of the board who is qualified to serve the zone he represents may succeed himself.

SECTION 5. Following the election, the new school district board of directors at their initial meeting shall, by lot, establish their initial terms so that an equal number of positions are filled each year and not more than three (3) members' terms expire each year. The regular term of office for school district board of directors elected after the initial election following the decision to elect from single-member zones shall be the same as the term of school district board of directors of the district prior to the change in the election of school district board of directors.

/s/ P. Flanagin