

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

*As Engrossed: H2/12/15*

# A Bill

HOUSE BILL 1263

5 By: Representatives Cozart, C. Armstrong, Baltz, Branscum, Deffenbaugh, Eubanks, Farrer, K. Ferguson,  
6 C. Fite, Gossage, Harris, Lampkin, Lowery, Lundstrum, McElroy, McNair, Miller, Ratliff, Richmond,  
7 Scott, Womack  
8 By: Senators A. Clark, B. Johnson  
9

## For An Act To Be Entitled

11 AN ACT TO PROVIDE A WAIVER FOR A SCHOOL DISTRICT FROM  
12 AN ADMINISTRATIVE CONSOLIDATION OR REORGANIZATION  
13 UNDER CERTAIN CONDITIONS; AND FOR OTHER PURPOSES.  
14  
15

## Subtitle

17 TO PROVIDE A WAIVER FOR A SCHOOL DISTRICT  
18 FROM AN ADMINISTRATIVE CONSOLIDATION OR  
19 REORGANIZATION UNDER CERTAIN CONDITIONS.  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code § 6-13-1603(a)(3), concerning administrative  
25 reorganization of a school district, is amended to read as follows:

26 (3) ~~Any~~ A school district on the consolidation list that does not  
27 submit a petition under subdivision (a)(2)(A) of this section or that does  
28 not receive approval by the state board for a voluntary consolidation or  
29 annexation petition shall be administratively consolidated by the state board  
30 with or into one (1) or more school districts by May 1, to be effective July  
31 1 immediately following the publication of the list required under § 6-13-  
32 1602 unless the school district has been granted a waiver under § 6-13-1613.  
33

34 SECTION 2. Arkansas Code Title 6, Chapter 13, Subchapter 16, is  
35 amended to add an additional section to read as follows:

36 6-13-1613. Minimum school district size waiver.



1       (a)(1) A school district that is placed on the consolidation list  
2 published by the Department of Education under § 6-13-1602(2) may annually  
3 request a waiver from the average daily membership requirement of three  
4 hundred fifty (350) students from the State Board of Education.

5       (2) A school district shall submit a petition for a waiver to  
6 the state board no later than thirty (30) days after the consolidation list  
7 is published.

8       (3) The petition for a waiver shall include:

9           (A) The average daily membership of the school district in  
10 the current school year;

11           (B) A statement that the school district has not been  
12 probationary cited for any violation of the Standards for Accreditation of  
13 Arkansas Public Schools and School Districts over the past two (2) years;

14           (C) A copy of the school district's current year budget  
15 and any fiscal audit conducted within the previous two (2) years;

16           (D) A copy of the school district's facilities master plan  
17 required under § 6-21-806; and

18           (E) A statement of assurance that the school district is  
19 not currently classified in academic distress, fiscal distress, or facilities  
20 distress.

21       (b)(1) The state board shall render a decision to either grant or  
22 reject a petition for waiver that is received by a school district within  
23 ninety (90) days of receipt.

24       (2) The state board shall grant a petition for a waiver if it is  
25 demonstrated by the school district that:

26           (A) The school district is not currently classified in  
27 academic distress, fiscal distress, or facilities distress;

28           (B) The school district has not been probationary cited  
29 for a violation of the Standards for Accreditation of Arkansas Public Schools  
30 and School Districts within the previous two (2) years;

31           (C) The academic facilities owned and operated by the  
32 school district are adequate as evidenced by the school district's facilities  
33 master plan; and

34           (D) It is in the best interest of the students in the  
35 school district to keep the school district open due to the length of  
36 potential time spent on the bus by a student traveling to and from school

1 should the school district be administratively reorganized, as determined by  
2 the state board.

3 (3) The state board may revoke a waiver that has been granted to  
4 a school district at anytime if it is found that the conditions under  
5 subdivision (b)(2)(A) of this section change.

6 (c) A school district that is granted a waiver shall remain listed on  
7 the consolidation list that is published annually by the department.

8

9

*/s/Cozart*

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36