

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1551

4 By: Representative Hyde

5
6 Filed with: Interim House Committee on Education
7 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

8 AN ACT TO AMEND THE REQUIREMENTS FOR PUBLIC SCHOOL
9 DISTRICT BOARDS OF DIRECTORS; AND FOR OTHER PURPOSES.

Subtitle

10 TO AMEND THE REQUIREMENTS FOR PUBLIC
11 SCHOOL DISTRICT BOARDS OF DIRECTORS.

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

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21 SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 6 is amended
22 to add an additional section to read as follows:

23 6-13-636. Removal of a director.

24 (a) As used in this section:

25 (1) "Director" means a person who has held the office of member
26 of a public school district board of directors for not less than six (6)
27 months; and

28 (2) "Qualified electors" means the electors qualified to vote
29 for a successor of the incumbent.

30 (b) A director may be removed from the office when:

31 (1) Recall petitions requesting the removal of the director are:
32 (A) Signed by qualified electors equal in number to
33 thirty-five percent (35%) of the total number of votes cast for all
34 candidates for that office at the preceding annual school election when the
35 office was on the ballot; and

1 (B) Filed with the county clerk of the county where the
2 annual school election for the public school district is held; and

3 (2) An election is held as required under this section at which
4 a majority of the qualified electors voting on the question vote for the
5 removal of the director.

6 (c) Within ten (10) days from the date the recall petitions are filed,
7 the county clerk shall:

8 (1) Determine the sufficiency of the recall petitions; and

9 (2) If the recall petitions are deemed sufficient, the county
10 clerk shall certify them to the county board of election commissioners.

11 (d) If the county clerk certifies to the county board of election
12 commissioners that the recall petitions are sufficient, the county board of
13 election commissioners shall:

14 (1) Issue a proclamation in accordance with § 7-11-201 et seq.
15 calling a special election on the question; and

16 (2)(A) Fix a date for holding the election.

17 (B) The election shall be held not more than ninety (90)
18 days after the date the county clerk certifies the recall petitions as
19 sufficient.

20 (e) At the election, the question shall be submitted to the electors
21 in substantially the following form:

22
23 “FOR the removal of (name of director)

24 from the office of Director for the (name of public school
25 district)

26 AGAINST the removal of (name of director)

27 from the office of Director for the (name of public school
28 district)”.

29
30 (f)(1) If a majority of the qualified electors voting on the question
31 at the election votes for the removal of the director, a vacancy shall exist
32 in the office.

33 (2) If a majority of the qualified electors voting on the
34 question at the election votes against the removal of the director, the
35 director shall continue to serve during the term for which the director was
36 elected.

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Referred by the Arkansas House of Representatives

Prepared by: CLR/VJF