

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1727

By: Representative Wilson

"AN ACT TO PROVIDE FOR THE REDISTRICTING OF THE SCHOOL DISTRICTS IN PULASKI COUNTY INTO TWO SCHOOL DISTRICTS, ONE CONSISTING OF THE TERRITORY OF SAID COUNTY NORTH OF THE ARKANSAS RIVER AND THE OTHER CONSISTING OF THE TERRITORY OF SAID COUNTY SOUTH OF THE ARKANSAS RIVER; AND FOR OTHER PURPOSES."

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

SECTION 1. LEGISLATIVE INTENT. In the passage of this Act, the General Assembly is cognizant of the requirements of Section 1 of Article XIV of the Constitution of 1874, as amended, which provides that "the State shall ever maintain a general, suitable and efficient system of free public schools and shall adopt all suitable means to secure to the people the advantages and opportunities of education". In furtherance of this constitutional requirement, the General Assembly hereby determines that the reorganization of the school districts within Pulaski County into two separate school districts, as provided in this Act, is necessary to meet the educational needs of the people of said County, to promote efficiency in the operation of said school districts and to enable said districts to implement, in an orderly and efficient manner, the mandates of federal court orders which now affect the school districts of Pulaski County.

SECTION 2. Commencing July 1, 1988, the school districts now existing in Pulaski County shall cease to exist, and the territory of said County is hereby divided into two reorganized school districts, one consisting of all territory of the County located North of the Arkansas river, to be known as the "North Pulaski County School District" and the other school district shall consist of all territory of Pulaski County located South of the Arkansas

river, to be known as the "South Pulaski County School District".

SECTION 3. (A) Effective with the school year commencing July 1, 1988, each school district established under the provisions of this Act shall have a board of directors consisting of nine (9) members, each of whom shall be elected from school board member zones established within the district as follows:

(1) the Pulaski County Board of Education shall, on or before October 1, 1987, establish the boundaries of the zones from which members of the board of directors of the school districts affected by this Act shall be elected whereby each member shall serve from a district having substantially equal population based on the most recent federal decennial census; and

(2) following the 1990 federal decennial census and following each federal decennial census thereafter, the county board of education of Pulaski County shall, within ninety (90) days after the results of said census are available and certified, reapportion and establish the boundaries of zones from which members of the school board of any school district affected by this Act shall be elected, to assure that each such zone consists of substantially equal population as determined by the most recent federal decennial census.

(B) Any person aggrieved by the action of the county board of education in the establishment of the boundaries of the initial zones from which members of the school board of any school district affected by this Act are to be elected, or any person aggrieved by the redistricting of the zones from which members of the school board of such school district are to be elected, made subsequent to each federal decennial census, may appeal therefrom, within thirty (30) days after the completion of the apportionment or reapportionment of such zones, to the circuit court of the county and shall have the right to appeal therefrom to the Supreme Court in the manner provided by law.

(C) Members of the school board of each school district affected by this Act shall be residents and qualified electors of the zones from which they are elected. In the event a member of such school board shall move from the zone from which elected, but shall continue to reside within the district, he(she) may continue to serve as a member of such school board until the next annual school election, at which time a successor who resides in, and is a qualified elector of, the zone shall be elected to fill the unexpired portion of such term. In the event a member of the school board shall move his/her place of

residence outside a school district affected by this Act, a vacancy shall occur in such position and such vacancy shall be filled by a majority vote of the members of the school board of such school district until the next-following annual school election, at which a successor shall be elected from the zone served by such member, to fill the unexpired portion of the term of the member who moved his/her place of residence outside the county.

(D) The boards of directors of the two school districts which will become operative on July 1, 1988 under the provisions of this Act shall be elected at the annual school election to be held in 1988, and members of the board of directors of each school district shall take office as the interim school board of each newly-formed school district on the day following their election, and shall serve as an interim board of directors of each new school district, for the purpose of advance planning for the establishment of the school district, including assignment of students, employment of teachers, and meeting other lawful requirements for the operation of the school district upon its formation effective July 1, 1988.

Said school boards shall constitute the school boards of their respective school districts effective July 1, 1988.

The school boards of the school districts now existing in Pulaski County, that are being merged into the newly-formed school districts under the provisions of this Act, shall stay in operation until June 30, 1988, at which time said school districts and the school boards thereof shall cease to exist, and said school districts shall be merged into the newly-formed school districts when the school year commences on July 1, 1988, and thereafter.

(E) At the first meeting of the interim school boards of the newly-formed school districts established under the provisions of this Act, the members of each school board shall draw lots for their respective terms, to be arranged in such a manner that the terms of three (3) members shall expire on the day following the 1989 annual school election; the terms of three (3) members shall expire on the day following the 1990 annual school election; and the terms of three (3) members shall expire on the day following the 1991 annual school election. Successor school board members shall serve terms of three (3) years.

(F) If, as a result of the reapportionment of zones following a federal decennial census, the territory of a zone of any school board member shall be changed, the terms of all school board members then serving shall expire at

the next-following annual school election, at which all members of the school board of the school district shall be elected and the terms of such members shall be determined by lot in the same manner as set forth in this subsection.

(G) The first boards of directors of the two school districts elected under the provisions of this Act shall serve, from the date of their election, as the interim boards of their respective school districts to be activated on July 1, 1988, and shall, as such interim boards, be authorized to incur costs necessary to aid in the development and implementation of the merger plan, with such costs incurred to be shared, pro-rata, by the three school districts now existing in the County, on a per-pupil ratio, as determined by the Average Daily Membership of the affected school districts.

SECTION 4. It shall be the duty of the school boards established under the provisions of this Act to implement, within an orderly and efficient manner, the various programs and obligations mandated by federal court orders applicable to the schools of their respective districts.

SECTION 5. This Act shall be supplemental to the laws of this State pertaining to the formation and consolidation of school districts, and shall repeal only such laws or parts of laws as are in conflict herewith.

