

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1148

By: Representatives D. Wood and Teague

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE OF 1987, TITLE 6, CHAPTER 13, SUBCHAPTER 2 TO REQUIRE THE STATE BOARD OF EDUCATION TO REORGANIZE THE PUBLIC SCHOOL DISTRICTS OF THIS STATE INTO DISTRICTS HAVING NO FEWER THAN 2,000 STUDENTS IN KINDERGARTEN THROUGH GRADE 12 EXCEPT WHEN A SMALLER DISTRICT WOULD BE THE ONLY DISTRICT IN A COUNTY; TO PROVIDE FOR ANNUAL REVIEW OF DISTRICTS BY THE STATE BOARD OF EDUCATION; AND FOR OTHER PURPOSES."

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

SECTION 1. Title 6, Chapter 13, Subchapter 2 is hereby amended by adding the following new sections to read as follows:

"6-13-224. (a) The State Board of Education shall develop a plan, on or before October 1, 1989, for the reorganization of the public school districts in this State into a system consisting of districts having no fewer than two thousand (2,000) students in kindergarten through grade twelve (12) based on average daily membership records of the preceding school year except that a smaller number of students shall be permitted in any school district which is the only school district in a county.

(b) On or before October 1 each year hereafter, the State Board of Education shall review composition of districts where the average daily membership records of the preceding school year indicate that student enrollment has fallen below (2,000) students and is authorized to take action to assure by the following July 1, such district is reorganized to comply with this act.

(c) School districts created hereunder shall coincide with township boundaries contained therein.

6-13-225. (a) The State Board of Education shall, at the time of

development of the plan for reorganization of the school district of the state, establish within each newly created school district boundaries for the election of members of the school boards 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. Upon release of each Federal Decennial Census, the State Board of Education shall reapportion the territory allotted to each district from which members of the school board are elected to assure that districts consist of substantially equal population and from which racial minorities may be represented on the board in proportions reflected in the district population as a whole.

(b) The first board of directors of each school district created hereunder in 1989 shall be elected at a special school election to be the third Tuesday in May, 1990, and shall take office June 1, 1990, for planning and implementation hereof by July 1, 1990.

(c) Any school district created in accordance herewith after July 1, 1990, shall elect the board of directors at a special school election to be the third Tuesday in May of the year following the year of review by the State Board of Education which ordered reorganization and shall take office the following June 1 for planning and implementation hereunder on the following July 1 of the same year.

6-13-226. (a) The board of directors of any school district created hereunder shall prepare the proposed budget of expenditures to present to the voters not less than sixty (60) days in advance of the annual school election. Such budget shall include the rate of tax levy sufficient to provide funds for the budget including the continuing levy for the retirement of any indebtedness of any prior existing district now contained in the new school district.

(b) In the event a majority of the electors voting in the annual school election shall disapprove the proposed rate of tax for the new school district, then the tax shall be collected at the rate or rates approved in the last preceding annual election for the prior existing districts now contained in the new school district.

6-13-227. (a) Each school district created hereunder shall have the same rights, responsibilities and privileges as are now, or may hereafter be provided by law, for public school districts in this State.

(b) The board of directors of each such district created hereunder shall have the same rights, responsibilities and privileges as are now, or may hereafter be vested, in school boards, and except as otherwise provided herein, the laws in effect on the effective date hereof relating to management and operation of school districts and the authority and responsibility of local school boards, shall, insofar as is practicable, be applicable to school districts and school boards created hereunder.

6-13-228. A school district created hereunder may continue to maintain and operate each elementary, intermediate or secondary schools existing within its territory to the extent that both the following conditions are being met:

(1) The school meets the minimum standard requirements of the Quality Education Act; and

(2) Enrollment within such school remains at or above standards promulgated by the school board based upon minimum enrollment standards for elementary, intermediate or secondary schools set by regulations of the State Board of Education for the operation of the elementary, intermediate or secondary schools of this State.

6-13-229. All real property and buildings or other improvements contained thereon and all personal property owned by the prior existing school districts shall transfer on July 1 of the year following the May election of school board members to the new school district created hereunder."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that the reorganization of small school districts within this state would significantly improve the educational opportunities of young citizens of Arkansas, that such reorganization requires a great deal of planning for implementation by the State Board of Education, and that this act should go into effect immediately upon passage to allow the greatest amount of advanced planning. Therefore, an emergency is hereby declared to exist and this act

being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.