

1 State of Arkansas
2 84th General Assembly
3 Second Extraordinary Session, 2003
4

As Engrossed: S1/17/04 S1/20/04

A Bill

Call Item 4

SENATE BILL 71

5 By: Senators Madison, Luker, Bryles
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For An Act To Be Entitled

9 AN ACT TO ALLOW THE RESIDENTS OF A PORTION OF A
10 SCHOOL DISTRICT TO PETITION FOR A CHANGE IN THE
11 BOUNDARIES OF THE SCHOOL DISTRICT AND THE
12 ADJOINING SCHOOL DISTRICT; AND FOR OTHER
13 PURPOSES.
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Subtitle

15 AN ACT TO ALLOW THE RESIDENTS OF A
16 PORTION OF A SCHOOL DISTRICT TO PETITION
17 FOR A CHANGE IN THE BOUNDARIES OF THE
18 SCHOOL DISTRICT AND THE ADJOINING SCHOOL
19 DISTRICT.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 12 is amended
26 to add an additional section to read as follows:

27 6-13-1211. Boundary change by the State Board of Education.

28 (a)(1) The State Board of Education shall consider a petition from the
29 residents of an area within a school district who seek an adjustment or
30 change of boundary lines between the school district in which the area is
31 located and a school district that adjoins the area.

32 (2) The petition shall:

33 (A) Be signed by the lesser of:

34 (i) Twenty-five (25) adult residents of the area to
35 be moved to a different school district; or

36 (ii) At least fifty percent (50%) of the adult



1 residents of the area to be moved to a different school district;

2 (B) Include a description of the boundaries of the area to
3 be moved to a different school district; and

4 (C) Include a statement of the geographic features,
5 including, but not limited to terrain, roads, and distances to schools, that
6 cause it to be in the best interest of the students of the area for the
7 boundaries to be adjusted.

8 (3) The petition shall be accompanied by:

9 (A) Proof that the petitioners have caused public notice
10 to be published in a local newspaper of general circulation in each affected
11 school district no fewer than once a week for two (2) consecutive weeks; and

12 (B)(i) Proof that the petitioners have provided a copy of
13 the public notice to the boards of directors of the affected school districts
14 by registered mail or by certified mail with return receipt requested.

15 (ii) The notice to the boards of directors of the
16 affected school districts must be made at least ten (10) days before a
17 regularly scheduled meeting of each board of directors.

18 (4)(A) The petition shall be filed with the state board no
19 earlier than January 1 and no later than March 1 in any calendar year.

20 (B) The petition shall not be filed with the state board
21 until after the boards of directors of the affected school districts have
22 been notified and have had an opportunity to discuss the proposal at a
23 regularly scheduled board meeting.

24 (b) The petition shall be presented for hearing before the state board
25 at the first regularly scheduled meeting occurring after April 1 of the year
26 in which the petition was filed.

27 (c)(1) If the state board determines that due to geographic features
28 the proposed change in boundaries is in the best interest of the students of
29 the area, the state board may, by approval of a majority of the members of a
30 quorum present of the state board, issue an order changing or adjusting the
31 boundary lines between the adjoining districts.

32 (2) Before approving a boundary change, the state board shall
33 also consider the financial consequences of the proposed boundary change and
34 whether the change will result in identifiable boundaries.

35 (3) The state board shall not order any change in school
36 district boundaries which hampers, delays, or in any manner negatively

1 affects the desegregation efforts of the public school districts in the State
2 of Arkansas.

3 (d) A change or adjustment in boundary lines approved under this
4 section shall be effective on July 1 of the year in which the petition was
5 filed.

6 (e)(1) Upon an order from the state board to change or adjust boundary
7 lines, the state board shall file the order with the county clerk in each
8 county in which every affected school district lies.

9 (2) The county clerk shall make a permanent record of the order,
10 and thereafter the boundaries so established shall be the boundaries of the
11 affected districts until changes are made according to the provisions of law.

12 (f) Upon an order from the state board to change or adjust boundary
13 lines, it shall be the duty of the Department of Education to make changes in
14 the maps of the school districts of the county to show the changes of
15 boundaries.

16 */s/ Madison*

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