

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1490

4
5 By: Representative Ormond
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For An Act To Be Entitled

8
9 AN ACT TO ALLOW THE STATE REPRESENTATIVE OF A
10 SCHOOL DISTRICT OR PORTION OF A SCHOOL DISTRICT
11 TO PETITION FOR A CHANGE IN THE BOUNDARIES OF THE
12 SCHOOL DISTRICT AND THE ADJOINING SCHOOL
13 DISTRICT; AND FOR OTHER PURPOSES.
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Subtitle

15
16 AN ACT TO ALLOW THE STATE REPRESENTATIVE
17 OF A SCHOOL DISTRICT OR PORTION OF A
18 SCHOOL DISTRICT TO PETITION FOR A CHANGE
19 IN THE BOUNDARIES OF THE SCHOOL DISTRICT
20 AND THE ADJOINING SCHOOL 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 state representative of an area within a school district, who seeks an
30 adjustment or change of boundary lines between the school district in which
31 the area is located and a school district that adjoins the area.

32 (2) The petition shall:

33 (A) Be signed by the state representative;

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

36 (C) Include a statement of the geographic features,



1 including, without limitation, terrain, roads, and distances to schools that
 2 cause it to be in the best interest of the students of the area for the
 3 boundaries to be adjusted.

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

6 (b) Upon receipt of the petition, the state board shall:

7 (1) Cause public notice to be published in a local newspaper of
 8 general circulation in each affected school district no less than once a week
 9 for two (2) consecutive weeks; and

10 (2)(A) Provide a copy of the public notice to the boards of
 11 directors of the affected school districts by registered mail or by certified
 12 mail with return receipt requested.

13 (B) The notice to the boards of directors of the affected
 14 school districts shall be made at least ten (10) days before a regularly
 15 scheduled meeting of each board of directors.

16 (c) The petition shall be presented for hearing before the state board
 17 at the first regularly scheduled meeting occurring after April 1 of the year
 18 in which the petition was filed.

19 (d)(1) If the state board determines that due to geographic features
 20 the proposed change in boundaries is in the best interest of the students of
 21 the area, the state board may, by approval of a majority of the members of a
 22 quorum present of the state board, issue an order changing or adjusting the
 23 boundary lines between the adjoining districts.

24 (2) Before approving a boundary change, the state board shall
 25 consider:

26 (A) Whether the change will result in identifiable
 27 boundaries; and

28 (B) The financial consequences of the proposed boundary
 29 change, including the impact of the proposed boundary change on all debt
 30 service obligations of the affected districts.

31 (3) The state board shall not order any change in school
 32 district boundaries which hampers, delays, or in any manner negatively
 33 affects the desegregation efforts of the public school districts in the State
 34 of Arkansas.

35 (4) The state board shall not order any change in school
 36 district boundaries which negatively impacts the debt service obligations of

1 any affected school district.

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

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

(2) The county clerk shall make a permanent record of the order. After the county clerk enters the order, the boundaries established in the order shall be the boundaries of the affected districts until changes are made according to the provisions of law.

(g) Upon an order from the state board to change or adjust boundary lines, the Department of Education shall make changes in the maps of the school districts of the county to show the changes of boundaries.