

State of Arkansas  
85th General Assembly  
Regular Session, 2005

# A Bill

SENATE BILL 398

By: Senator Madison

## For An Act To Be Entitled

AN ACT TO ALLOW THE RESIDENTS OF A SCHOOL DISTRICT TO PETITION THE STATE BOARD OF EDUCATION FOR A RECOMMENDATION FOR MAKING A CHANGE IN THE BOUNDARIES OF THE SCHOOL DISTRICT AND THE ADJOINING SCHOOL DISTRICT; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT TO ALLOW THE RESIDENTS OF A SCHOOL DISTRICT TO PETITION THE STATE BOARD OF EDUCATION FOR A RECOMMENDATION FOR MAKING A CHANGE IN THE BOUNDARIES OF THE SCHOOL DISTRICT AND THE ADJOINING SCHOOL DISTRICT.

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

SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 12 is amended to add an additional section to read as follows:

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

(a)(1) The State Board of Education shall consider a petition from the residents of a local school district that seeks an adjustment or change of boundary lines:

(A) Between the school district where the area is located and a school district that adjoins the area; or

(B) That is effectively a trade or exchange of parcels of land between the districts.



1           (2) The petition shall:

2               (A) Be signed by the lesser of:

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

5                   (ii) At least fifty percent (50%) of the adult  
6 residents of the area to be moved to a different school district;

7               (B) Include a description of the boundaries of the area to  
8 be included in or removed from a school district; and

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

13           (3) The petition shall be accompanied by proof that the board of  
14 directors of the petitioning district have:

15               (A) Caused public notice to be published in a local  
16 newspaper of general circulation in each affected school district no fewer  
17 than one (1) time a week for two (2) consecutive weeks;

18               (B)(i) Provided a copy of the public notice to the boards  
19 of directors of the affected school districts by registered mail or by  
20 certified mail with return receipt requested.

21               (ii) The notice to the boards of directors of the  
22 affected school districts must be made at least ten (10) days before a  
23 regularly scheduled meeting of each board of directors;

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

26               (B) The petition shall not be filed with the state board  
27 until thirty (30) days after the presidents of the local boards of directors  
28 of the affected school districts have received written notification of the  
29 petition.

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

33           (c)(1) If the state board determines that due to geographic features  
34 the proposed change in boundaries is in the best interest of the students of  
35 the area, the state board may, by approval of a majority of the members of a  
36 quorum present of the state board, issue an recommendation to the local

1 boards of directors of the affected districts that the boundaries be changed  
2 and requests the local board of directors to consider the requested change or  
3 adjustment to the boundary lines in a public school board meeting.

4 (2) Before recommending a boundary change, the state board shall  
5 also consider the financial consequences of the proposed boundary change and  
6 whether the change will result in identifiable boundaries.

7 (3) The state board shall not recommend any change in school  
8 district boundaries which hampers, delays, or in any manner negatively  
9 affects the desegregation efforts of the public school districts in the State  
10 of Arkansas.