

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/13/09 H3/17/09

A Bill

HOUSE BILL 2263

5 By: Representatives Lovell, Wagner, J. Burris
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For An Act To Be Entitled

9 AN ACT TO CLARIFY THE REQUIREMENTS FOR
10 CALCULATING AVERAGE DAILY MEMBERSHIP FOR THE
11 PURPOSES OF ADMINISTRATIVE REORGANIZATION OF
12 SMALL SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.
13

Subtitle

15 TO CLARIFY THE REQUIREMENTS FOR
16 CALCULATING AVERAGE DAILY MEMBERSHIP FOR
17 THE PURPOSE OF ADMINISTRATIVE
18 REORGANIZATION OF SMALL SCHOOL
19 DISTRICTS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. NOT TO BE CODIFIED. Intent. The General Assembly
25 recognizes that the intent of basing administrative consolidation of small
26 school districts on a two-year average was to provide temporary relief to
27 school districts that were irreversibly losing enrollment. The General
28 Assembly further recognizes that small school districts and the rural
29 communities where they are located are more susceptible than larger
30 communities to fluctuations in the economy that result in fluctuations in
31 enrollment, both up and down. It is the intent of the General Assembly to
32 provide a more stable basis for administrative consolidation of small school
33 districts to minimize the effect of temporary fluctuations in enrollment due
34 to changing economic conditions.
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36 SECTION 2. Arkansas Code § 6-13-1602 is amended to read as follows:



1 6-13-1602. Administrative consolidation list.

2 By ~~February 1, 2004, and each January 1 thereafter~~ of each year, the
3 Department of Education shall publish a consolidation list that includes all
4 school districts with fewer than three hundred fifty (350) students according
5 *to the school district average daily membership in each quarter of the two*
6 *(2) school years immediately preceding the current school year.*

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8 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
9 General Assembly of the State of Arkansas that there is uncertainty in the
10 calculation of average daily membership when it comes to the administrative
11 consolidation list; that school districts may be unfairly placed on the
12 administrative consolidation list which causes a great deal of anxiety among
13 parents, students, school district employees and communities; and that this
14 act is immediately necessary to ensure that the factors that must be met for
15 a school district to be place on the administrative consolidation list are
16 clear and understandable. Therefore, an emergency is declared to exist and
17 this act being immediately necessary for the preservation of the public
18 peace, health, and safety shall become effective on:

19 (1) The date of its approval by the Governor;

20 (2) If the bill is neither approved nor vetoed by the Governor,
21 the expiration of the period of time during which the Governor may veto the
22 bill; or

23 (3) If the bill is vetoed by the Governor and the veto is
24 overridden, the date the last house overrides the veto.

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26 /s/ Lovell
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