

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1938

5 By: Representative Alexander
6

For An Act To Be Entitled

8 AN ACT TO SUSPEND THE ADMINISTRATIVE REORGANIZATION
9 OF SCHOOL DISTRICTS; TO REQUIRE A STUDY OF CHANGES
10 RESULTING FROM ADMINISTRATIVE REORGANIZATIONS OF
11 SCHOOL DISTRICTS SINCE 2003; TO REQUIRE A STUDY OF
12 STUDENT TRANSPORTATION IN SMALL AND RURAL SCHOOL
13 DISTRICTS; TO DECLARE AN EMERGENCY; AND FOR OTHER
14 PURPOSES.
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Subtitle

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18 TO SUSPEND ADMINISTRATIVE REORGANIZATIONS
19 OF SCHOOL DISTRICTS; TO REQUIRE A STUDY
20 OF ADMINISTRATIVE REORGANIZATIONS AND
21 STUDENT TRANSPORTATION IN SMALL AND RURAL
22 DISTRICTS; AND TO DECLARE AN EMERGENCY.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 6-13-1603(A)(3) is amended to read as
28 follows:

29 (3)(A) Any ~~Except as provided under subdivision (a)(3)(B) of~~
30 this section, a school district on the consolidation list that does not
31 submit a petition under subdivision (a)(2)(A) of this section or that does
32 not receive approval by the state board for a voluntary consolidation or
33 annexation petition shall be administratively consolidated by the state board
34 with or into one (1) or more school districts by May 1, to be effective July
35 1 immediately following the publication of the list required under § 6-13-
36 1602.



1 (B)(i) The state board shall not administratively
2 reorganize a school district or school campus under this section after
3 January 1, 2013, and before April 30, 2015.

4 (ii) The House Committee on Education and the Senate
5 Committee on Education may extend the period for suspending the application
6 of this section to a date not later than December 31, 2016, pending the
7 completion of:

8 (a) The study required under § 6-19-128 and
9 the consideration of the Bureau of Legislative Research report during an
10 adequacy study; and

11 (b) The review of plans to track student
12 progress required under § 6-13-1606.

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14 SECTION 2. Arkansas Code § 6-13-1606(b) is amended to add an
15 additional subsection to read as follows:

16 (e)(1) By October 1, 2013, the Bureau of Legislative Research shall
17 review and provide to the House Committee on Education and the Senate
18 Committee on Education an analysis of:

19 (A) The reports provided by the Department of Education
20 under subsection (d) of this section; and

21 (B) All plans developed under this section.

22 (2) The analysis provided under this subsection (e) shall be
23 considered during the adequacy study conducted during the interim preceding
24 the 2015 regular session of the General Assembly.

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26 SECTION 3. Arkansas Code Title 6, Chapter 19, Subchapter 1, is amended
27 to add an additional section to read as follows:

28 6-19-128. Transportation efficiency study for small and rural school
29 districts.

30 (a) The Bureau of Legislative Research, in conjunction with the
31 Department of Education and Division of Public School Academic Facilities and
32 Transportation, shall conduct a study of student transportation in small and
33 rural school districts in the state to assess how the time and cost of public
34 school district transportation for students can or should be minimized in the
35 school districts.

36 (b) The study and resulting report shall include without limitation:

1 (1) How small and rural school districts:

2 (A) Administer student transportation routes and number of
 3 school buses to accommodate student needs; and

4 (B) Plan and implement school bus routes to accommodate:

5 (i) Regional or local geography; and

6 (ii) The density or scarcity of student population;

7 (2) The influence of the factors under this subdivision (b)(2)
 8 on the time and cost of school bus routes.

9 (3) A review of other states' practices concerning student
 10 transportation in small and rural school districts.

11 (c)(1) The bureau, the department, and the division, shall prepare a
 12 report with analysis, findings, and recommendations based on the study.

13 (2) The findings and recommendations shall include without
 14 limitation:

15 (A) A list of small and rural school districts for which a
 16 boundary adjustment or other alternative would reduce the school district's
 17 transportation time or cost;

18 (B) A detailed description of each alternative for
 19 reducing a small or rural school district's transportation time or cost,
 20 including without limitation:

21 (i) The estimated number of hours of transportation
 22 time to be saved per student presented by school district and by statewide
 23 total; and

24 (ii) The total estimated cost to be saved under the
 25 alternative presented by school district and by statewide total; and

26 (C) A description of the proposed implementation of any
 27 alternative, including without limitation:

28 (i) The cost of implementation; and

29 (ii) For any boundary change considered in the
 30 alternative, whether the boundary change will result in changes to an
 31 affected school district's compliance with the State Board of Education's
 32 standards for academic achievement, accreditation, and financial management.

33 (3) The bureau shall present its report to the House Committee
 34 on Education and the Senate Committee on Education for the biennial adequacy
 35 study by October 1, 2014, unless the report deadline is extended by the House
 36 Committee on Education and the Senate Committee on Education acting jointly

1 to a date not later than October 1, 2016.

2 (d)(1) The study and report required under this section are subject to
3 the availability of reliable data.

4 (2)(A) School districts shall comply in a timely manner with
5 requests from the bureau, the department, or the division for information
6 needed under this section.

7 (B) The department and the division shall assist in
8 obtaining the requested information from school districts and shall report
9 the noncompliance of a school district:

10 (i) In the report required under this section; or

11 (ii) At the request of the House Committee on
12 Education or the Senate Committee on Education.

13 (3) If the bureau, the department, and the division agree that
14 changes to coding requirements for school districts are needed for obtaining
15 future data concerning student transportation, the report shall reflect those
16 recommendations.

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18 SECTION 4. Arkansas Code § 6-20-602(b)(2)(C)(i), concerning state
19 board approval of the closure of isolated schools, are amended to read as
20 follows:

21 (C)(i) ~~Upon~~ Except as provided under subdivision
22 (b)(2)((E) of this section, upon receiving a petition for approval of a
23 motion to close all or part of an isolated school under subdivision (b)(2)(A)
24 of this section, the state board shall have the authority to review and
25 approve or disapprove the petition.

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27 SECTION 5. Arkansas Code § 6-20-602(b)(2), concerning state board
28 approval of the closure of isolated schools, is amended to add an additional
29 subdivision to read as follows:

30 (E)(i) The state board shall not approve the closure of a
31 school or shall suspend the closure of a school under this section after
32 January 1, 2013, and before April 30, 2015.

33 (ii) The House Committee on Education and the Senate
34 Committee on Education may extend the period for suspending the application
35 of this section to a date not later than December 31, 2016, pending the
36 completion of the study required under § 6-19-128 and the consideration of

1 the Bureau of Legislative Research report during an adequacy study.

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 3 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the
 4 General Assembly of the State of Arkansas that the closure of schools and
 5 administrative reorganization of school districts under current law may cause
 6 irreparable harm to small and rural schools and school districts; that the
 7 present law should be reviewed before further application of the law; and
 8 that this act is immediately necessary to suspend the application of the law
 9 pending that review. Therefore, an emergency is declared to exist, and this
 10 act being immediately necessary for the preservation of the public peace,
 11 health, and safety shall become effective on:

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

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

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

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