

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Kinard

SENATE BILL 621

"AN ACT TO PROVIDE THAT ANY SCHOOL DISTRICT IN THE STATE WHICH IS TEMPORARILY UNABLE TO COMPLY WITH THE MINIMUM SCHOOL STANDARDS PRESCRIBED BY LAW AND REGULATION MAY MAKE APPLICATION TO THE STATE BOARD OF EDUCATION FOR AN EXTENSION OF TIME WITHIN WHICH TO MEET SUCH STANDARDS; TO ESTABLISH A PUBLIC SCHOOL STANDARDS REVIEW BOARD WITH AUTHORITY TO HEAR APPEALS FROM DECISIONS OF THE STATE BOARD OF EDUCATION IN REGARD TO PETITIONS FILED BY SCHOOL DISTRICTS FOR AN EXTENSION OF TIME IN WHICH TO MEET THE MINIMUM SCHOOL STANDARDS; AND FOR OTHER PURPOSES."

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

SECTION 1. Any school district in the State which determines that it will be temporarily unable to comply with the minimum education standards prescribed by law or regulation because of a shortage of funds or facilities available to the district, may make written application to the State Board of Education for an extension of time within which to meet the minimum standards. The application for such extension shall be on forms prescribed by and shall contain such information as the State Board of Education shall prescribe and shall include the period of extension requested by the district, which shall not exceed two (2) years. Any school district aggrieved by the decision of the State Board of Education regarding any such application for extension shall have the right to appeal the decision of the State Board of Education to the Public School Standards Review Board hereinafter created in this Act. Any appeal by a public school district from a decision or ruling of the State Board of Education to the Review Board shall be filed with the Review Board within thirty (30) days after the date of the ruling appealed from. The appeal provided for herein shall be optional with the school district and

nothing contained herein shall be construed to require the district to appeal to the Review Board before filing its appeal to the appropriate court under the Administrative Procedure Law.

SECTION 2. There is hereby created the Public School Standards Review Board which shall be composed of five (5) members to be appointed by the Governor for terms of four (4) years. Provided, the members first appointed to the Board shall draw lots for terms with three (3) members to serve terms of four (4) years and two (2) members to serve terms of two (2) years. Thereafter, all successor members shall be appointed for terms of four (4) years. The Review Board shall consist of one (1) member appointed from a list of three persons nominated by the Arkansas School Board Association, one (1) member appointed from a list of three persons nominated by the Arkansas School Administrators Association, one (1) member appointed from a list of three persons nominated by the Arkansas Education Association, one (1) member who shall be an attorney to be appointed from a list of three persons nominated by the Arkansas Bar Association, and one (1) citizen member to be appointed by the Governor from the State at-large.

It is the responsibility of the Review Board to hear and determine all appeals filed with it from rulings or decisions of the State Board of Education concerning petitions filed with the Board of Education by school districts in the State requesting an extension of time within which to meet the minimum education standards prescribed by law and regulation. The Review Board shall adopt appropriate rules of procedure for its operation and shall select one of its members as chairman of the Board to preside at meetings of the Board, and such other officers as it deems necessary or appropriate. Any official action of the Board shall require a vote of a majority of the membership of the Board and shall be final unless appealed to the appropriate court by the State Board of Education or the petitioning district within the time and in the manner prescribed in the Arkansas Administrative Procedure Act.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

