

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1686

By: Representative Mahony

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE OF 1987, TITLE 6, CHAPTER 13, SUBCHAPTER 2 TO REQUIRE THE STATE BOARD OF EDUCATION TO REORGANIZE THE PUBLIC SCHOOL DISTRICTS OF THIS STATE INTO DISTRICTS HAVING NO FEWER THAN 400 STUDENTS IN KINDERGARTEN THROUGH GRADE 12 EXCEPT WHEN A SMALLER DISTRICT WOULD BE ISOLATED; AND FOR OTHER PURPOSES."

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

SECTION 1. Title 6, Chapter 13, Subchapter 2 is hereby amended by adding the following new sections to read as follows:

"6-13-224. (a) The State Board of Education shall develop a plan, on or before October 1, 1989, for the reorganization of the public school districts in this State into a system consisting of districts having no fewer than four hundred (400) students in kindergarten through grade twelve (12) based on average daily membership records of the preceding school year except that a smaller number of students shall be permitted in any school district which is determined to be isolated by the State Board of Education.

(b) School districts created hereunder shall coincide with township boundaries contained therein.

6-13-225. (a) The State Board of Education shall, at the time of development of the plan for reorganization of the school districts of the state, establish within each newly created school district boundaries for the election of members of the school boards which shall have substantially equal population based on the most recent available census information and from which racial minorities may be represented on the board in proportions reflected in the district population as a whole.

(b) The first board of directors of each school district created

hereunder shall be elected at a special school election to be the second Tuesday in March, 1990, and shall take office May 1, 1990, for planning and implementation hereof by July 1, 1990.

6-13-226. (a) The board of directors of any school district created hereunder shall prepare the proposed budget of expenditures to present to the voters not less than sixty (60) days in advance of a special school election to be held the second Tuesday in September. Such budget shall include the rate of tax levy sufficient to provide funds for the budget including the continuing levy for the retirement of any indebtedness of any prior existing district now contained in the new school district.

(b) In the event a majority of the electors voting in the annual school election shall disapprove the proposed rate of tax for the new school district, then the tax shall be collected at the rate or rates approved in the last preceding annual election for the prior existing districts now contained in the new school district.

6-13-227. (a) Each school district created hereunder shall have the same rights, responsibilities and privileges as are now, or may hereafter be provided by law, for public school districts in this State.

(b) The board of directors of each such district created hereunder shall have the same rights, responsibilities and privileges as are now, or may hereafter be vested, in school boards, and except as otherwise provided herein, the laws in effect on the effective date hereof relating to management and operation of school districts and the authority and responsibility of local school boards, shall, insofar as is practicable, be applicable to school districts and school boards created hereunder.

6-13-228. All real property and buildings or other improvements contained thereon and all personal property owned by the prior existing school districts shall transfer on July 1, 1990 to the new school district created hereunder.

6-13-229. For purposes of 6-13-224 - 6-13-228, "isolated" means any district which in the judgment of the State Board of Education is so isolated as to make its consolidation or operation with another district impractical or unwise."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

Revision Commission shall incorporate the same in the Code.

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

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that the reorganization of small school districts within this state would significantly improve the educational opportunities of young citizens of Arkansas, that such reorganization requires a great deal of planning for implementation by the State Board of Education, and that this act should go into effect immediately upon passage to allow the greatest amount of advanced planning. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

