

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1504

By: Representative M. McElroy

For An Act To Be Entitled

AN ACT TO AMEND THE PUBLIC EDUCATION REORGANIZATION ACT; TO AMEND THE CONDITIONS UNDER WHICH A PUBLIC SCHOOL DISTRICT SHALL BE ADMINISTRATIVELY CONSOLIDATED BY THE STATE BOARD OF EDUCATION; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE PUBLIC EDUCATION REORGANIZATION ACT; TO AMEND THE CONDITIONS UNDER WHICH A PUBLIC SCHOOL DISTRICT SHALL BE ADMINISTRATIVELY CONSOLIDATED BY THE STATE BOARD OF EDUCATION; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 6-13-1603(a)(3), concerning school districts on the consolidation list published by the Division of Elementary and Secondary Education, is amended to read as follows:

(3)(A) A Except as provided under subdivision (a)(3)(B) of this section, a school district on the consolidation list that does not submit a petition under subdivision (a)(2)(A) of this section or that does not receive approval by the state board for a voluntary consolidation or annexation petition shall be administratively consolidated by the state board with or into one (1) or more school districts by May 1, to be effective July 1 immediately following the publication of the list required under § 6-13-1602 unless the school district has been granted a waiver under § 6-13-1613.



(B)(i) However, a school district that is on the consolidation list that does not submit a petition under subdivision (a)(2)(A) of this section or does not receive approval by the state board for a voluntary consolidation or annexation petition shall not be administratively consolidated if:

(a) The school district is currently classified as in need of Level 5 – Intensive support under § 6-15-2913 and § 6-15-2915; and

(b) A public school student enrolled in the school district that is on the consolidation list would have to ride a bus for more than forty (40) miles in order to arrive at and attend a receiving district.

(ii)(a) If each of the conditions under subdivision (a)(3)(B)(i) of this section exist, the state board shall:

(1) Assume authority of the school district;

(2) Not close a public school or public school facility within the school district; and

(3) Remove permanently the superintendent and assistant superintendent, if applicable, of the school district.

(b) If at least one (1) of the conditions under subdivision (a)(3)(B)(i) of this section ceases to exist, then the state board may proceed with the administrative consolidation of the school district.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that some public school districts in the State of Arkansas are currently facing administrative consolidation; that there is a designated timeline for administrative consolidations conducted by the State Board of Education; and that this act is immediately necessary in order to statutorily address conditions under which the State Board of Education may administratively consolidate public school districts that are currently facing administrative consolidation. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become

effective on:

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

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

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

APPROVED: 4/11/23