

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: H3/26/13  
**A Bill**

HOUSE BILL 1938

By: Representative Alexander

**For An Act To Be Entitled**

AN ACT TO SUSPEND THE ADMINISTRATIVE REORGANIZATION OF SCHOOL DISTRICTS; TO REQUIRE A STUDY OF CHANGES RESULTING FROM ADMINISTRATIVE REORGANIZATIONS OF SCHOOL DISTRICTS SINCE 2003; TO REQUIRE A STUDY OF STUDENT TRANSPORTATION IN *SELECTED* SCHOOL DISTRICTS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Subtitle**

TO SUSPEND ADMINISTRATIVE REORGANIZATIONS OF SCHOOL DISTRICTS; TO REQUIRE A STUDY OF ADMINISTRATIVE REORGANIZATIONS AND STUDENT TRANSPORTATION IN *SELECTED SCHOOL* DISTRICTS; 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) is amended to read as follows:

(3)(A) Any 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.

(B)(i)(a) The state board shall not administratively



reorganize a school district or school campus under this section after January 1, 2013, and before April 30, 2015, for reasons other than academic distress, fiscal distress, or failure to comply with state accreditation standards.

(b) The number of students enrolled in a district shall not be used as a factor in reaching a finding of academic distress, fiscal distress, or failure to comply with state accreditation standards or in determining of the appropriate response to the finding.

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

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

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

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

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

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

(B) All plans developed under this section.

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

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

6-19-128. Transportation efficiency study for selected school districts.

(a) The Bureau of Legislative Research, in conjunction with the Department of Education and Division of Public School Academic Facilities and

Transportation, shall conduct a study of student transportation in Arkansas school districts selected by the House Committee on Education and the Senate Committee on Education to assess how the time and cost of public school district transportation for students can or should be minimized in the school districts.

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

(1) How the selected school districts:

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

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

(i) Regional or local geography; and

(ii) The density or scarcity of student population;

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

(3) A review of other states' practices concerning student transportation in school districts.

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

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

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

(B) A detailed description of each alternative for reducing the selected school districts' transportation time or cost, including without limitation:

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

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

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

(i) The cost of implementation; and

(ii) For any boundary change considered in the alternative, whether the boundary change will result in changes to an

affected school district's compliance with the State Board of Education's standards for academic achievement, accreditation, and financial management.

(3) The bureau shall present its report to the House Committee on Education and the Senate Committee on Education for the biennial adequacy study by October 1, 2014, unless the report deadline is extended by the House Committee on Education and the Senate Committee on Education acting jointly to a date not later than October 1, 2016.

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

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

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

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

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

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

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

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

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

(E)(i)(a) The state board shall not approve the closure of

a school or shall suspend the closure of a school under this section after January 1, 2013, and before April 30, 2015, for reasons other than academic distress, fiscal distress, or failure to comply with state accreditation standards.

(b) The number of students enrolled in a district shall not be used as a factor in reaching a finding of academic distress, fiscal distress, or failure to comply with state accreditation standards or in determining the appropriate response to the finding.

(ii) The House Committee on Education and the Senate Committee on Education may extend the period for suspending the application of this section to a date not later than December 31, 2016, pending the completion of the study required under § 6-19-128 and the consideration of the Bureau of Legislative Research report during an adequacy study.

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the closure of schools and administrative reorganization of school districts under current law may cause irreparable harm to small and rural schools and school districts; that the present law should be reviewed before further application of the law; and that this act is immediately necessary to suspend the application of the law pending that review. 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.

*/s/Alexander*