

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

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

SENATE BILL 844

By: Senator J. Key

For An Act To Be Entitled

AN ACT TO AMEND THE REQUIREMENTS FOR STATE BOARD OF
EDUCATION APPROVAL OF A VOLUNTARY ANNEXATION OR
CONSOLIDATION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE REQUIREMENTS FOR STATE BOARD
OF EDUCATION APPROVAL OF A VOLUNTARY
ANNEXATION OR CONSOLIDATION.

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

SECTION 1. Arkansas Code § 6-13-1403, concerning the conditions under which the State Board of Education may annex school districts, is amended to add a new subsection to read as follows:

(g)(1) The state board shall not deny a petition for voluntary annexation of two (2) or more school districts unless one (1) of the petitioning districts:

(A) Is under the administrative control of the Department of Education for violations of the:

(i) State's academic accountability system under the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., including without limitation academic distress; or

(ii) Standards for Accreditation of Public Schools and School Districts under The Quality Education Act of 2003, § 6-15-201 et seq.;

(B) Is identified as being in fiscal distress under the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.;



(C) Is classified as a school district in facilities distress under § 6-21-811; or

(D)(i) As a result of the annexation, will be placed at risk of being in one (1) or more of the conditions identified in subdivision (g)(1)(A)-(C) of this section.

(ii) If the Department of Education recommends denying a voluntary petition for annexation under this subdivision (g)(4), the department shall provide to the state board evidence to support the recommendation.

(2) This subsection (g) does not require the state board to deny a petition for voluntary annexation for the reasons identified in the subsection.

SECTION 2. Arkansas Code § 6-13-1404, concerning the conditions under which the State Board of Education may consolidate school districts, is amended to add a new subsection to read as follows:

(g)(1) The state board shall not deny the petition for voluntary consolidation of two (2) or more school districts unless one (1) of the petitioning districts is:

(A) Under the administrative control of the Department of Education for violations of the:

(i) State's academic accountability system under the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., including without limitation academic distress;

(ii) Standards for Accreditation of Public Schools and School Districts under The Quality Education Act of 2003, § 6-15-201 et seq.;

(B) Identified as being in fiscal distress under the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.;

(C) Classified as a school district in facilities distress under § 6-21-811; or

(D)(i) As a result of the consolidation, will be placed at risk of being in one (1) or more of the conditions identified in subdivision (g)(1)(A)-(C) of this section.

(ii) If the Department of Education recommends denying a voluntary petition for consolidation under this subdivision (g)(4),

the department shall provide to the state board evidence to support the recommendation.

(2) This subsection (g) does not require the state board to deny a petition for voluntary consolidation for the reasons identified in the subsection.