

**DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES
GOVERNING CONSOLIDATION AND ANNEXATION OF SCHOOL DISTRICTS**

**PUBLIC COMMENTS AND AGENCY RESPONSE
(FIRST PUBLIC COMMENT PERIOD)**

Name: Lucas Harder, Arkansas School Boards Association

Comment: 1.01: The “c” in the first occurrence of “school” is unnecessarily indicated as being stricken.

Agency Response: The change was made

Comment: Sections 5.05.4, 6.05.4, 12.12, and 13.11: Due to the Geographic Informations Systems Office being in charge of developing the district boundaries map under 6.04.2 and the consolidation order to county clerks being required to include a copy of the map under 12.11, I would recommend changing this to read “A consolidation or annexation order filed with a county clerk or the Secretary of State shall include a digital copy of the map showing the boundaries of the resulting district or receiving district created by the Arkansas Geographic Information Systems Office under these Rules.”

Agency Response: Comment considered. No change was made. Ark. Code Ann. §6-13-1415(f)(3) requires that it be filed with the Arkansas Geographic Information Systems Office.

Comment: 12.11: With my recommendations to 5.05.4, 6.05.4, 12.12, and 13.11, this section is unnecessary as the Geographic Informations Systems Office would have a copy of the map due to having created the map and the county clerks and Secretary of State would be provided a copy under the other sections.

Agency Response: See previous response.

Comment: 20.00: The intent in this section to move away from references to “Act 60” is a good one, but the phrase of “administratively reorganized school district” could be taken to refer to the district that resulted from the consolidation rather than from the district that was closed. If you want to use this phrase, I would recommend adding it as a new definition to replace “Act 60”.

Agency Response: Comment considered. The change was removed. Due to the familiarity of the term Act 60 and its significance as part of the Lake View case, the term has been returned to Act 60.

Comment: 22.01.3: I would recommend changing “Arkansas curriculum frameworks” to “Arkansas Academic Standards”.

Agency Response: Comment considered. The change was made.

Comment: 24.02.3: There is an “is” missing from between the final “applicable” and “three”.

Agency Response: The change was made.

Name: Rebecca Miller-Rice, Arkansas Bureau of Legislative Research

Comment: For Sections 5.04.2 and 6.04.2, Act 757 changed the "shall be" to "is." Was there a reason the previous language was retained?

Agency Response: The change was made.

Comment: Sections 20.02 and 20.03.2 -- Is there a reason that the term "administratively reorganized" was used when Ark. Code Ann. s 6-13-1610(a)(2) and Section 20.01.2 of the rules seem to use "involuntarily consolidated"?

Agency Response: The change was made. “Administratively reorganized” was intended to replace “Act 60.” For clarity and consistency, the term has been returned to “Act 60.” See previous response .