BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

AMENDED PETITION FOR CHANGE IN BOUNDARY LINES

COMES NOW, Petitioners, the Boards of Directors of the Ozark Mountain School District ("OMSD") of Marion, Newton, and Searcy Counties and the Lead Hill School District ("LHSD") of Boone and Marion Counties, pursuant to Ark. Code Ann. § 6-13-1414, and for their Amended Petition for Change in Boundary Lines to the Arkansas State Board of Education ("Board") states, to wit:

- 1. Petitioners filed their initial Petition for Change in Boundary Lines on April 13, 2020. Petitioners file this Amended Petition to add relevant information for the Board's consideration. Petitioners agree on the change in boundary lines being requested and seek approval based on the facts as alleged herein.
- 2. The land at issue is currently in the OMSD and is identified in the map attached as Exhibit 1. The land is best described as two peninsulas, an east peninsula and west peninsula, which adjoined to Missouri and are surrounded by Bull Sholes Lake. This Petition requests that boundary lines be redrawn so that the land, both the east and west peninsulas, become part of the LHSD for the 2020-2021 school year.
- 3. Approximately twelve (12) students who are residents of OMSD live on the peninsulas, approximately six (6) on the east peninsula and six (6) on the west peninsula. The peninsulas are completely non-contiguous to the main landmass that is OMSD. OMSD covers 394 square miles and three counties. The peninsulas are thirty (30) miles north of the main landmass of OMSD and cannot be accessed by road alone but require use of a ferry. The west peninsula is contiguous with LHSD and is only divided from the east peninsula by the body of water.

- 4. Transportation of students on the peninsulas from their homes to OMSD is not feasible due to travel time and the students are instead transported to two separate school districts in Missouri. Students on the west peninsula attend Mark Twain School District in Missouri and students on the east peninsula attend Lutie School District in Missouri. This arrangement was made in the best effort to educate the students. This arrangement will continue if this Petition is granted.
- 5. OMSD receives no average daily membership revenue for these students, as the entire per-student funding that OMSD receives is paid to the Missouri school districts providing the students' educational programming.
- 6. OMSD provides transportation for the students to and from the Missouri school districts servicing the students. OMSD is required to run two bus routes to transport the students due to the distance. OMSD operates at an annual loss relative to the students. If boundary lines are not changed OMSD may consider only allowing the students to attend one Missouri school district so that OMSD will only have to run school bus. LHSD is agreeable to continue the current arrangement of two LHSD buses running routes to two separate Missouri schools.
- 7. LHSD is agreeable to accepting the students for purposes of being the Local Education Agency and continuing the current arrangement that the students be transported to the school districts in Missouri that currently service the students. LHSD will continue to provide transportation for the students. The students and their families will see no adverse impact by this change of boundary lines. The only different the students will see is that the bus transporting the students will have a different school name.
- 8. It is more advantageous for LHSD to acquire the land at issue and provide services for the students than for OMSD to continue to serve the area and the students.

9. Both the Boards of Education for OMSD and LHSD have approved the property

boundary change and the adopted resolutions by each Board are submitted in support of this

Petition.

10. There are three (3) other school districts that share boundary lines with at least part

of the land at issue; Yellville-Summit School District, Flippin School District and Mountain Home

School District. The superintendent of each of these three districts is aware of this Petition and

has no objection.

11. Petitioners will cause proof of public notice to be issued to all local newspapers of

general circulation in the effected districts no less than one (1) time each week for two (2)

consecutive weeks. The public notice to be circulated is submitted in support of this Petition and

the Petitioners will provide proof of circulation at the hearing of this matter.

12. Upon information and belief, subsection (f) of the applicable statute is not

applicable to this Petition.

WHEREFORE, the Ozark Mountain School District and Lead Hill School District pray for

an Order of the Arkansas State Board of Education for a boundary change as petitioned for herein.

Respectfully submitted,

BEQUETTE, BILLINGSLEY & KEES, P.A.

425 West Capitol Avenue, Suite 3200

Little Rock, AR 72201-3469

Phone: (501) 374-1107

Fax:

(501) 374-5092

Email: ckees@bbpalaw.com

By: /s/ Cody Kees_

Cody Kees, Ark. Bar No. 2012118

Attorney for Ozark Mountain School District and

Lead Hill School District

3