

A.C.A. § 6-20-602

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Current through all legislation of the 2025 Regular Session.

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6-20-602. Isolated schools — Definition.

(a) “Isolated school” means a school within a school district that:

(1) Before administrative consolidation or annexation under this section, the Public Education Reorganization Act, § 6-13-1601 et seq., and § 6-13-1405(a)(5) [repealed] qualified as an isolated school district under § 6-20-601; and

(2) Is subject to administrative consolidation or annexation under this section, the Public Education Reorganization Act, § 6-13-1601 et seq., and § 6-13-1405(a)(5) [repealed].

(b) Any isolated school within a resulting or receiving district shall remain open unless the school district board of directors of the resulting or receiving district adopts a motion to close the isolated school or parts thereof by:

(1) Unanimous vote of the full board of directors; or

(2)

(A) A majority vote of the full board of directors, but less than a unanimous vote, and the motion is considered by and approved by a majority vote of members of the State Board of Education.

(B)

(i) Any school district board of directors seeking the state board's approval to close isolated schools or parts thereof under subdivision (b)(2)(A) of this section shall no less than thirty (30) days before a regularly scheduled state board meeting, request a hearing on the matter before the state board and file a petition to have the motion reviewed and approved by the state board.

(ii) The petition shall:

(a) Identify the specific isolated schools or part thereof that the local board of directors has moved to close;

(b) State all reasons that the isolated schools or part thereof should be closed;

(c) State how the closure will serve the best interests of the students in the district as a whole;

(d) State if the closure will have any negative impact on desegregation efforts or violate any valid court order from a court of proper jurisdiction; and

(e) Have attached a copy of the final motion approving the closure by the local board of directors.

(C)

(i) 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.

(ii) The state board shall only approve a motion to close isolated schools or parts thereof under subdivision (b)(2)(A) of this section if the closure is in the best interest of the students in the school district as a whole.

(iii) The state board shall not close a school if the state board finds that the closure will have any negative impact on desegregation efforts or will violate any valid court order from a court of proper jurisdiction.

(D)

(i) Except under subdivision (b)(2)(D)(ii) of this section, the state board shall not require the closure of all or part of an isolated school without a motion from the local board of directors as required under subdivision (b)(2)(A) of this section.

(ii) This section shall not be construed to restrict the authority of the Division of Elementary and Secondary Education and the state board otherwise granted by law.

(c) Funding for isolated school districts shall be expended by the resulting or receiving district only on the operation, maintenance, and other expenses of the isolated schools within the resulting or receiving district.

History

Acts 2003 (2nd Ex. Sess.), No. 60, § 5; 2005, No. 1397, § 2; 2011, No. 1131, § 2; 2019, No. 910, § 1611.