

Petition for Minimum School District Size Waiver

- Act 60 of 2004 required that school districts with fewer than 350 students for the two years immediately preceding the current school year administratively consolidate with or annex to another school district.
- By January 1 of each year, the ADE must publish a “consolidation list” identifying all school districts that meet these criteria. The ADE published this list on July 13, 2020. There were four school districts on the consolidation list: Dermott School District, Guy-Perkins School District, Strong-Huttig School District, and Western Yell School District.
- Ark. Code Ann. § 6-13-1613 authorizes any school district appearing on the consolidation list to seek a “minimum school district size waiver” by filing a petition with the State Board.
- The State Board shall grant the petition if the school district demonstrates those items set forth in Ark. Code Ann. § 6-13-1613(b)(2)(A) through (D):
 - The school district is not currently classified in Level 5—Intensive support, fiscal distress, or facilities distress; (no districts)
 - The school district is not in probationary status for a violation of the Standards for Accreditation of Arkansas Public Schools and School Districts; (no districts)
 - The academic facilities owned and operated by the school district are adequate as evidenced by the school district’s facilities master plan; and (all districts)
 - It is in the best interest of the students in the school district to keep the school district open to the length of potential time spent on the bus by a student traveling to and from school should the school district be administratively reorganized, as

assured by the school board of directors of the school district requesting the waiver. (all districts have submitted a resolution from their board to this effect)

- A school district must file a petition annually with the State Board (assuming its student count remains below 350).