

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

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Commenter Name: Lucas Harder, Arkansas School Boards Association (12/20/2021)

Comment (1): Concerning Section 13.12.1, while I realize that it matches the statutory language, I would recommend changing “that occurred no more than twenty (20) years ago” to “that occurred on or after “2001,” as the way the language is drafted would provide that any district annexed/consolidated in 2004 due to Act 60 [of 2003] would only need to wait until 2025 to no longer have the restriction be applicable.

Division Response: **Comment considered.** The proposed language would not be consistent with the language of Act 662 of 2021 or legislative intent. The Act provides a look-back period of 20 years from a voluntary annexation under Ark. Code Ann. 6-13-1601 *et seq.*, after which time a petition to the State Board to reverse the voluntary annexation would be time barred. **No changes made.**