

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

IN THE MATTER OF THE ANNEXATION OF WEINER SCHOOL DISTRICT OF
POINSETT COUNTY INTO THE HARRISBURG SCHOOL DISTRICT OF POINSETT
COUNTY

PETITION FOR ANNEXATION

COMES NOW the Harrisburg School District of Poinsett County and the Weiner School District of Poinsett County (Petitioners) acting by and through their respective Superintendents(s) duly authorized, pursuant to A.C.A. § 6-13-1601 et seq., and petition the Arkansas State Board of Education (Board) to approve the annexation of the petitioning affected school district into the petitioning receiving Harrisburg School District, and hereby would submit to the Board as follows:

1. Pursuant to A.C.A. § 6-13-1601 et seq., the Petitioners hereby submit and incorporate in this petition as Exhibit A attached hereto, proof of legally binding local board resolutions to annex the Weiner School District into the receiving Harrisburg School District as approved by a majority of the quorum present of the local boards of education of the respective Petitioners.

2. The Petitioners hereby submit and incorporate in this petition as Exhibit B attached hereto, proof of public notice of intent to petition this Board to annex the Petitioners into the receiving Harrisburg School District. Said public notice of intent to annex was published in the local newspaper(s) of general circulation (or in a newspaper of daily circulation if local newspaper does not exist on weekly basis) of the affected districts for a time period

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GENERAL DIVISION

less than once a week for two (2) consecutive weeks prior to the hearing of this petition with this Board.

3. The Petitioners submit that pursuant to A.C.A. §§ 6-13-1405, 6-13-1406 and 6-13-1412, that it is hereby agreed that the receiving Harrisburg School District shall establish an interim school board consisting of four (4) current board members from the Harrisburg School District and one (1) current board members from the Weiner School District. The interim board shall serve until the first regular school board election of September 2011, the year following the annexation of July 1, 2010. Beginning at the regular school election of September 2011, the five (5) member board shall serve five (5) year terms.

4. The Petitioners submit that their respective school districts are geographically contiguous.

5. The Petitioners submit that they hereby request through the State Board, an Attorney General Opinion declaring whether the petitioned annexation will or will not hamper, delay or in any manner negatively affect the desegregation of another school district or districts in this state. Upon receipt, the resulting opinion shall be incorporated herein and attached hereto as Exhibit C.

6. Pursuant to A.C.A. § 6-13-1601 et seq., the Petitioners hereby submit and declare that the effective date of this petitioned annexation shall be July 1, and that there shall be only one local school board and the current one local superintendent of the receiving Harrisburg School District, Mr. Danny Sample, shall continue to be superintendent of the receiving Harrisburg School District; that as soon as feasible after annexation, the interim board of education shall rezone the receiving Harrisburg School District to ensure four (4) zoned

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representative positions from the current Harrisburg School District and one (1) zoned representative positions from the current Weiner School District.

7. The Petitioners hereby submit an affidavit of facts by the superintendent of the affected school district(s), which is incorporated as Exhibit D, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

WHEREFORE, Petitioners request that the Board approve the annexation of the Weiner School District of Poinsett County into the receiving Harrisburg School District of Poinsett County; that it issue an Order dissolving the affected school districts and establishing the receiving Harrisburg School District; that it issue an Order establishing the boundary lines of the receiving school district; and that it file its Order with the County Clerk of Poinsett County.

Respectfully submitted,

Weiner School District
Poinsett County
By: [Signature] 2-26-10
Superintendent Date
[Signature] 2-26-10
President, School Board Date

HARRISBURG School District
Poinsett County
By: [Signature] 2/27/2010
Superintendent Date
[Signature] 2-27-2010
President, School Board Date

Exhibit A

School Board Resolution

COMES NOW the Weiner School District Board acting by and through its Superintendent duly authorized and do herein declare:

A special or regular school board meeting was held on FEBRUARY, wherein a quorum was present and a majority of the quorum voted to approve the consolidation/annexation of the Weiner School District with the HARRISBURG School District, and the minutes of said meeting reflect such.

Therefore, this document is to serve as the formal resolution of the Weiner School District Board of Directors, pursuant to Arkansas law, that said consolidation/annexation is hereby approved.

Weiner School District

POINSETT County

By: Chuck Larson 2-26-10
Superintendent Date
Susan Johnson 2-26-10
President, School Board Date

Exhibit C

Affidavit of Average Daily Membership

COMES NOW the affiant, CHUCK HANSON, Superintendent of the
Weimer School District, and having been duly sworn, states under oath
as follows:

1. The average daily membership (ADM) of the Weimer School
District, as that term is defined in Ark. Code Ann. § 6-13-1604(4), was 342.12 students
for the 2007-08 school year and 342.11 students for the 2008-09
school year.

2. The combined average daily membership of the affected school districts was
1,486.87 for the 2008-09 school year, an average daily membership
meeting or exceeding three hundred fifty (350) total students.

FURTHER, affiant says not.

IN WITNESS WHEREOF, I hereunto set my hand this 26th day of
February, 2010.

County of Crawford
State of Arkansas

Chuck Hanson
Superintendent

Sworn and subscribed before me, Notary Public, this 26th day of February,
2010.

Janice S. Nouri
Notary Public

My Commission expires
9-14-11

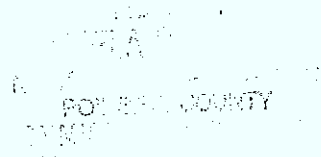


Exhibit E

Affidavit of Isolated School Status

Comes the affiant, CHUCK HANSON, Superintendent of the Weiner

School District, and having been duly sworn, states under oath as follows:

1. My name is CHUCK HANSON. I am Superintendent of the Weiner School District.
2. My business address is 313 N. GARFIELD DR. WEINER, AR 72479
3. I am aware that pursuant to A.C.A. § 6-20-601, a school district must meet four of five criteria to qualify as an isolated school.
4. I am aware that pursuant to A.C.A. § 6-20-602 an isolated school must qualify as an isolated school district under § 6-20-601 prior to the administrative consolidation or annexation petitioned for herein.
5. I hereby submit that prior to the effective date of the administrative consolidation or annexation, the Weiner School District qualified as an isolated school district, and therefore, is entitled to the rights and privileges conferred on an isolated school pursuant to § 6-20-602 (Act 60 of the Second Extraordinary Session of 2003).
6. I hereby declare that the Weiner School District qualifies for isolated status because the school district meets the following list of at least four (4) of the five (5) criteria of being an isolated school district: (circle appropriate responses and provide relevant data in the blanks)
 - (1) There is a distance of twelve (12) miles or more by hard-surfaced highway from the high school of the district to the nearest adjacent high school in an adjoining district. The distance is 16.5 miles.

(2) The density ratio of transported students is less than three (3) students per square mile of area. The density ratio is 1.74.

(3) The total area of the district is ninety-five (95) square miles or greater. The total area is 196 square miles.

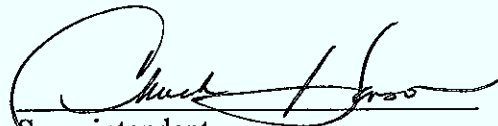
(4) Less than fifty percent (50%) of bus route miles are on hard-surfaced roads. The percent of bus route miles on hard-surface roads is 36%. 58.25 miles paved
108.32 miles unpaved

(5) There are geographic barriers such as lakes, rivers, and mountain ranges which would impede travel to schools that otherwise would be appropriate for consolidation, cooperative programs and shared services. The geographic barriers are winter flooding from Bayou De View and Langelle Tributaries. Rice field that flood & cover roads.

7. Further the affiant sayeth not.


IN WITNESS WHEREOF, I hereunto set my hand this 26th day of

February, 2010.


Superintendent

County of Polk
State of Arkansas

Sworn and subscribed before me, Notary Public, this 26th day of February 2010.


Notary Public

My Commission expires
9-14-11

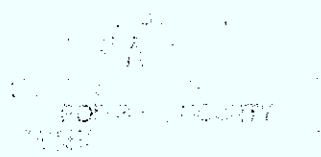


Exhibit D

Affidavit Concerning Desegregation Orders

COMES NOW the Weiner School District, acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the Weiner School District currently (circle one) (is) (is not) involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court Order regarding desegregation of a public school or schools (see "*" at bottom of affidavit).

Further the affiant sayeth not.


IN WITNESS WHEREOF, I hereunto set my hand this 26th day of

February, 2010.


Superintendent

County of Poinsett
State of Arkansas

Sworn and subscribed before me, Notary Public, this 26th day of February 2010.


Notary Public

My Commission expires
9-14-11

*If you answered "is involved in desegregation litigation, etc." above, please attach a copy of any applicable Court order or other relevant documentation.