

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

IN THE MATTER OF THE ANNEXATION OF DELIGHT SCHOOL DISTRICT OF PIKE COUNTY INTO THE MURFREESBORO SCHOOL DISTRICT OF PIKE COUNTY

PETITION FOR ANNEXATION

COMES NOW the Murfreesboro School District of Pike County and the Delight School District of Pike 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 Delight school district into the petitioning receiving Murfreesboro School District which hereby petitions to change its name to the South Pike County 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 Delight School District into the receiving Murfreesboro School District and to be renamed, South Pike County 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 Murfreesboro 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 basic) of the affected districts for a time period of no less than once a week for two (2) consecutive weeks prior to the hearing of this petition with this Board.

RECEIVED
ATTORNEY'S OFFICE

FEB 25 2010

DEPARTMENT OF EDUCATION
GENERAL DIVISION

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 South Pike County School District shall establish an interim school board consisting of four (4) current board members from the Murfreesboro School District and three (3) current board members from the Delight 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 interim board positions shall be staggered for election so that a single-member zone position in the now current Delight and a single-member zone position in the now current Murfreesboro School Districts shall be up for election at the regular school elections of 2011, 2012 and 2013 with the final interim single-member zone position in the now current Murfreesboro School District up for election at the regular election of 2014.

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 Murfreesboro School District, Mr. Curtis Turner, Jr., shall continue to be superintendent of the receiving South Pike County School District; that as soon as feasible after annexation, the interim board of education shall rezone the receiving South Pike County School District to ensure four (4) zoned representative positions from the current Murfreesboro School District and three (3) zoned representative positions from the current Delight 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 Delight School District of Pike County into the receiving Murfreesboro School District of Pike County and rename said school district as the South Pike County School District; that it issue an Order dissolving the affected school districts and establishing the receiving South Pike County 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 Pike County.

Respectfully submitted,

Murfreesboro School District

Pike County

By:

Curtis Turner, Jr. 2/22/10
Superintendent Date

Alan McLoe 2/22/10
President, School Board Date

Delight School District

Pike County

By: J. Green 2-25-10
Superintendent Date

Citronella Dixon 2-25-10
President, School Board Date

Exhibit A

School Board Resolution

COMES NOW the Murfreesboro 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 2/22/10, wherein a quorum was present and a majority of the quorum voted to approve the consolidation annexation of the Murfreesboro School District with the Delight School District, and the minutes of said meeting reflect such.

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

Murfreesboro School District

Pike County

By: Curtis [Signature] 2/22/10
Superintendent Date
Ala McKe [Signature] 2/22/10
President, School Board Date

Exhibit A

School Board Resolution

COMES NOW the DELIGHT 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 2-22-10, wherein a quorum was present and a majority of the quorum voted to approve the consolidation (annexation) of the DELIGHT School District with the MURFREESBORO School District, and the minutes of said meeting reflect such.

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

DELIGHT School District

PIKE County

By: [Signature] 2-22-10
Superintendent Date

[Signature] 2-22-10
President, School Board Date

Exhibit D

Affidavit Concerning Desegregation Orders

COMES NOW the Murfreesboro 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 Murfreesboro 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 22ND day of

FEBRUARY, 2010.


Superintendent

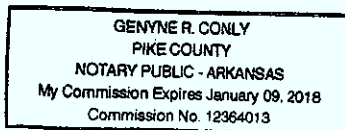
County of Pike
State of Arkansas

Sworn and subscribed before me, Notary Public, this 22nd day of February, 2010.


Notary Public

My Commission expires

1-9-2018



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

Exhibit D

Affidavit Concerning Desegregation Orders

COMES NOW the DELIGHT 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 DELIGHT 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 22 day of FEBRUARY, 2010.

[Signature]
Superintendent

County of Pike
State of Arkansas

Sworn and subscribed before me, Notary Public, this 22 day of February 2010.



[Signature]
Notary Public
1712369892

My Commission expires
02/14/2019

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

Exhibit C

Affidavit of Average Daily Membership

COMES NOW the affiant, Curtis Turner, Jr., Superintendent of the Murfreesboro School District, and having been duly sworn, states under oath as follows:

1. The average daily membership (ADM) of the Murfreesboro School District, as that term is defined in Ark. Code Ann. § 6-13-1604(4), was 505.31 students for the 08-09 school year and 509.74 students for the 07-08 school year.

2. The combined average daily membership of the affected school districts was 835.16 for the 2008-2009 school year, an average daily membership meeting or exceeding three hundred fifty (350) total students.

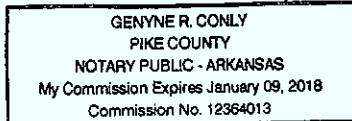
FURTHER, affiant says not.

IN WITNESS WHEREOF, I hereunto set my hand this 22nd day of FEBRUARY, 2010.

Curtis Turner, Jr.
Superintendent

County of Pike
State of Arkansas

Sworn and subscribed before me, Notary Public, this 22nd day of February, 2010.



Genevne R. Conly
Notary Public

My Commission expires

1-9-2018

Exhibit C

Affidavit of Average Daily Membership

COMES NOW the affiant, LAVON FLAHERTY, Superintendent of the

DELIGHT School District, and having been duly sworn, states under oath

as follows:

1. The average daily membership (ADM) of the DELIGHT School District, as that term is defined in Ark. Code Ann. § 6-13-1604(4), was 329.85 students for the 2008-2009 school year and 329.16 students for the 2007-2008 school year.

2. The combined average daily membership of the affected school districts was 835.16 for the 2008-2009 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 22nd day of

February, 2010.

Lavon Flaherty
Superintendent

County of Pike
State of Arkansas

Sworn and subscribed before me, Notary Public, this 22 day of February, 2010.



Brittney Humphry
Notary Public
12369892

My Commission expires

02/14/2019