

**CERTIFIED COPY OF THE RESOLUTION OF THE BOARD OF EDUCATION OF
TEXARKANA, ARKANSAS SCHOOL DISTRICT NO. 7 OF MILLER COUNTY
ADOPTED AT THE BOARD'S SPECIAL MEETING OF
May 15, 2013**

WHEREAS, the Board of Education of Texarkana, Arkansas School District ("Texarkana, Arkansas School Board" and "TASD") met in special session on May 15, 2013, at 12:00 p.m. at the School Administration Office, 3435 Jefferson Ave, in Texarkana, Arkansas; and,

WHEREAS, on April 16, 2013, Governor Mike Beebe signed into law Act 1227, the Public School Choice Act of 2013 ("Act 1227"), which was duly passed by the Arkansas General Assembly; and,

WHEREAS, Act 1227 establishes a public school choice program that would allow students who are residents of TASD to apply for a school choice transfer to a non-resident district; and,

WHEREAS, Ark. Code Ann. § 6-18-1906(b)(1) (to be codified as set forth in Act 1227) provides that "[a] school district annually may declare an exemption under this section if the school district is subject to a desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation"; and,

WHEREAS, TASD is subject to a desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation; and,

WHEREAS, Texarkana, Arkansas historically operated racially dual school systems that segregated black and non-black students and was desegregated in the early 1970s by closing the black school(s) and merging their enrollment with the white students; and,

WHEREAS, the federal court or agency orders include the original directive from the United States Supreme Court in *Brown v. Board of Education of Topeka, Kansas* (1954), and its progeny, that maintenance of racially dual public schools is unconstitutional and directing that racially segregated schools be dismantled; and the 1969 mandate from the federal Department of Health, Education, and Welfare to the same effect; and the various orders entered over the years and,

WHEREAS, TASD desires to declare an exemption from Act 1227 of 2013, the Public School Choice Act of 2013 for the 2013-14 school year on the basis of the aforementioned federal court cases and orders, and agency mandates; and

WHEREAS, the Texarkana, Arkansas School Board understands that this exemption is irrevocable for one year from the date the Department of Education is notified of the declaration of exemption.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Texarkana, Arkansas School District, by a vote of six to zero, with one board member absent, hereby declares that TASD is exempt from the provisions of Act 1227, the Public School Choice Act of 2013 for the school year 2013-14; and,

THEREFORE, BE IT FURTHER RESOLVED that the Superintendent is directed to carefully monitor and study the racial segregation implications of application of the Public School Choice Act of 2013 in other Arkansas districts, as well as the interest expressed therein within this district, and report the same to the Board from time to time during 2013-14; and,

THEREFORE, BE IT FURTHER RESOLVED that the Superintendent is directed to immediately notify the Arkansas State Department of Education of this declaration of exemption for the 2013-14 school year.

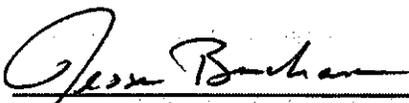
Dated this 15th day of May, 2013.



Carol Dalby, President
BOARD OF DIRECTORS

CERTIFICATION

I, Jesse Buchanan, Secretary of the Board of Directors of Texarkana, Arkansas School District No. 7 of Miller County, Arkansas, hereby certify that the above and foregoing resolution was considered and adopted by said Board at a special session on May 15, 2013.



Jesse Buchanan, Secretary
BOARD OF DIRECTORS

**RECEIVED
ATTORNEY'S OFFICE**

MAY 16 2013

**DEPARTMENT OF EDUCATION
GENERAL DIVISION**