

# Policy Number 21-03 (PN 21-03)

## 2021 REDISTRICTING PLAN AND POLICY

By: County Board of Election Commissioners  
Location: Pulaski County, Arkansas

Policy Type: Redistricting  
Effective Date: October 28, 2021

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### I. PURPOSE

To define criteria, public input, and a tentative timeline for the Pulaski County Board of Election Commissioners apportionment of the Pulaski County Quorum Districts under Ark. Code Ann. § 14-14-403.

### II. CRITERIA

- Equal Population per District
- Geographically Contiguous Districts
- Geographically Compact Districts
- Maintaining Communities of Interest

### III. PUBLIC INPUT

Countywide outreach meeting dates will be posted prior to publication of the maps in order to take into consideration community interests. Due to two elections occurring during this time, the public will be encouraged to attend these meetings as the number of meetings will be quite limited. In addition, online public comment will be available pre and post the publication of maps.

These maps will be published online around December 10 and will be available for 7 days. These dates are tentative; however, the Board will publish any date changes via [www.votepulaski.net](http://www.votepulaski.net), Facebook, and Twitter. Please subscribe to email alerts and follow us on social media.

### IV. TENTATIVE TIMELINE

| Date             | Action  |
|------------------|---|
| 10/20/21         | Interview the vendor and review options; select a vendor.                               |
| 10/28/21         | Review redistricting plan and policy and approve memo.                                  |
| <b>*10/29/21</b> | <b><i>Memo with criteria to be sent to the vendor and published online.</i></b>         |
| <b>*11/02/21</b> | <b><i>Approve public meeting dates and locations for public input.</i></b>              |
| <b>*11/03/21</b> | <b><i>Publish and post public meetings dates and locations for public input.</i></b>    |
| <b>*11/20/21</b> | <b><i>Deadline for map changes to be sent to the vendor following public input.</i></b> |
| 12/01/21         | Deadline for Board to approve school board zone maps                                    |

| <b>Date</b>                 | <b>Action</b>  |
|-----------------------------|--|
| <i>*12/10/21</i>            | <i>Maps (4) due to Board by vendor. Board meets to release maps to Public.</i>               |
| <i>*12/10/21 - 12/17/21</i> | <i>Maps posted for online public comment.</i>  |
| <i>*12/17/21</i>            | <i>Board meets to discuss if changes need to be made.</i>                                    |
| <i>*12/28/21</i>            | <i>Board meets to vote and approve the final map.</i>  |
| <i>*12/29/21</i>            | <i>Board submits final to the County Clerk to be filed by the 01/03/22 deadline.</i>         |
| 01/03/22                    | Deadline for Board to establish Quorum Court (QC) Districts                                  |
| 01/18/22                    | Deadline for County Clerk to publish map in paper <i>(15 days after CBEC approves map)</i>   |
| 02/17/22                    | Deadline for Contest of Quorum Court Districts <i>(30 days from date of map publication)</i> |

***\*Tentative Dates***

**V. STATE LAW REQUIREMENTS**

**§14-14-403. Apportionment of Districts**

(a) The county board of election commissioners in each county shall be responsible for the apportionment of the county into quorum court districts. Until otherwise changed in the method set forth in this subchapter, the districts of each county shall consist of the territory of the township established by the county board of election commissioners on or before November 3, 1975, pursuant to the provisions of Acts 1975, No. 128 [repealed]. Thereafter, districts shall be apportioned on or before the first Monday after January 1, 1982, and each ten (10) years thereafter.

(b) All apportionments shall be based on the population of the county as of the last federal decennial census, and the number of districts apportioned shall be equal to the number to which the county is entitled by law.

(c) The provisions of this subchapter shall not be construed to affect the composition of the county committees of the political parties, and the county committee of each political party shall designate the geographic area within the county from which county committee members shall be selected.

**§14-14-405. Filing and Publishing of Plan**

(a) Not later than the date set for the apportionment of county quorum court districts, the county board of election commissioners shall file its report with the clerk of the county court, setting forth the district boundaries and the number of inhabitants within them.

(b) Within fifteen (15) days of the filing of an apportionment plan, the clerk of the county court shall cause to be published in a newspaper of general circulation in the county the district boundaries apportioned and the number of inhabitants within them.

**§14-14-406. Contest of Apportionment**

Original jurisdiction of any suit to contest the apportionment made for county quorum court districts by a county board of election commissioners is vested in the circuit court of the affected county. Any such contest shall be filed with the circuit court within thirty (30) days following the date publication appears in a newspaper of general circulation.

**§14-14-407. Certification of Plan**

The clerk of the county court, within seven (7) calendar days following the expiration of the time period provided for the filing of contest of an apportionment plan, shall transmit to the Secretary of State a certified copy of the record made of an apportionment plan.

**§6-14-102. Annual School Election Date – Special School Election [Effective January 1, 2022]**

(B)

(i) A school district shall adopt a policy setting forth which election date under subdivision (a)(1)(A) of this section the school district chooses to hold the annual school election upon.

(ii) At least one hundred (100) days before the first day of the respective candidate filing period set forth in § 6-14-111(e)(1)(A), a school district shall provide a copy of the policy under subdivision (a)(1)(B)(i) of this section to:

(a) The county board of election commissioners of the county in which the school district is domiciled for administrative purposes; and

(b) The county clerk of each county within the school district's boundaries.

**§7-7-203. Dates**

(a) The general primary election shall be held:

(1) For years in which the office of Governor will appear on the ballot at the general election, on the third Tuesday in June preceding the general election; and

(2) For years in which the office of President of the United States will appear on the ballot at the general election, on the Tuesday four (4) weeks following the preferential primary election.

(b) The preferential primary election shall be held:

(1) For years in which the office of Governor will appear on the ballot at the general election, on the Tuesday four (4) weeks before the general primary election; and

(2) For years in which the office of President of the United States will appear on the ballot at the general election, on the first Tuesday after the first Monday in March.

(c)

(1) The party filing period shall be a one-week period beginning and ending on the following dates and times:

(A) For years in which the office of Governor will appear on the ballot at the general election, beginning at 12:00 noon one (1) week prior to the first day in March and ending at 12:00 noon on the first day in March; and

(B) For years in which the office of President of the United States will appear on the ballot at the general election, beginning at 12:00 noon on the first Monday in November preceding the general primary election and ending at 12:00 noon on the seventh day thereafter.

**§6-13-631. Effect of Minority Population on Election**

(a) The qualified electors of a school district having a ten percent (10%) or greater minority population out of the total population, as reported by the most recent federal decennial census information, shall elect the members of the board of directors as authorized in this section, utilizing selection procedures in compliance with the federal Voting Rights Act of 1965, as amended.

(b)

(1) At least one hundred twenty (120) days before the annual school election held in the second year after the federal decennial census, the local board of directors shall:

(A) By resolution, choose to elect members of the board of directors from five (5) or seven (7) single-member zones or from five (5) single-member zones and two (2) at large; and

(B) With the approval of the controlling county board of election commissioners, divide each school district having a ten percent (10%) or greater minority population into five (5) or seven (7) single-member zones in accordance with the federal Voting Rights Act of 1965, as amended.

(2) Zones shall have substantially equal population, with boundaries based on the most recent available federal decennial census information.

(c) A board of directors choosing to elect members of the board of directors by five (5) single-member zones and two (2) at-large positions may fill the two (2) at-large positions by drawing lots from among the current members of the board of directors.

(d)

(1)

(A) A candidate for election from a single-member zone must be a qualified elector and a resident of the zone.

(B) A candidate for an at-large position must be a qualified elector and a resident of the school district.

(2)

(A) Except as provided in subsection (e) of this section, a member of a school district board of directors shall serve a five-year term.

(B) A term shall commence when the county court declares the results of the election by an order entered of record.

(e) At the first meeting of a new board of directors, the members shall establish initial terms by lot so that, to the extent possible, an equal number of positions are filled each year and not more than two (2) members' terms expire each year.

(f)

(1) At least ninety (90) days before the filing deadline for the annual school election held in the second year after each federal decennial census, the school district board of directors, with the

approval of the county board of election commissioners of the county where the school district is administratively domiciled, shall:

**(A)** Divide each school district having a ten percent (10%) or greater minority population into single-member zones; and

**(B)**

**(i)** File a copy of the plan with the county clerk of the county where the school district is administratively domiciled.

**(ii)** The plan filed with the clerk shall include a map showing the boundaries of the zones and documentation showing the population by race in each zone.

**(2)** The zones shall be based on the most recent federal decennial census information and be substantially equal in population.

**(3)** At the annual school election following the rezoning, a new school district board of directors shall be elected in accordance with procedures set forth in this section.

**(g)**

**(1)** The following school districts shall be exempt from the provisions of this section:

**(A)** A school district that is currently operating under a federal court order enforcing school desegregation or the federal Voting Rights Act of 1965, as amended;

**(B)** A school district that is operating under a preconsolidation agreement that is in compliance with the federal Voting Rights Act of 1965, as amended;

**(C)** A school district that has a zoned board of directors meeting the requirements of the federal Voting Rights Act of 1965, as amended; and

**(D)** A school district that a federal court has ruled is not in violation of the federal Voting Rights Act of 1965, as amended, so long as the court order is in effect.

**(2)** A school district which on August 13, 1993, was in the process of defending a lawsuit brought under the federal Voting Rights Act of 1965, as amended, shall also be exempt from the provisions of this section until such time as the lawsuit has been finally resolved.

**(3)**

**(A)** A school district released from operating under a federal court order enforcing school desegregation shall comply with the provisions of this section.

**(B)** The school district shall use the most recent federal decennial census information to create zones pursuant to this section within one hundred eighty (180) calendar days after the release from the court order.

**(h)**

**(1)**

**(A)** On or before August 1, 2002, and every decade thereafter, each and every school district shall submit to the Division of Elementary and Secondary Education a letter stating whether or not its school district board of directors falls under this section.

**(B)** In that same letter, each school district that falls under this section shall state how it has complied with this section.

**(C)** Furthermore, in the same letter, any school district that believes that it is exempt from this section shall state under which provision it is exempt.

**(2)** The division shall withhold twenty percent (20%) of the annual state funds allocation to a school district not in compliance with this section.

**(i)** The State Board of Education is hereby authorized to adopt rules necessary for the implementation of this section.

**(a)** The qualified electors of a school district having a ten percent (10%) or greater minority population out of the total population, as reported by the most recent federal decennial census information, shall elect the members of the board of directors as authorized in this section, utilizing selection procedures in compliance with the federal Voting Rights Act of 1965, as amended.

**(b)**

**(1)** At least one hundred twenty (120) days before the annual school election held in the second year after the federal decennial census, the local board of directors shall:

**(A)** By resolution, choose to elect members of the board of directors from five (5) or seven (7) single-member zones or from five (5) single-member zones and two (2) at large; and

**(B)** With the approval of the controlling county board of election commissioners, divide each school district having a ten percent (10%) or greater minority population into five (5) or seven (7) single-member zones in accordance with the federal Voting Rights Act of 1965, as amended.

**(2)** Zones shall have substantially equal population, with boundaries based on the most recent available federal decennial census information.