

Stricken language would be deleted from and underlined language would be added to present law.
Act 21 of the 1st Extraordinary Session

1 State of Arkansas
2 85th General Assembly
3 First Extraordinary Session, 2006
4

As Engrossed: S4/6/06
A Bill

Call Item 15

SENATE BILL 24

5 By: Senators Wilkins, Lavery, Broadway, J. Jeffress, G. Jeffress, Miller
6 By: Representative Mahony
7
8

9 **For An Act To Be Entitled**

10 AN ACT TO ENSURE ADEQUATE FUNDING FOR STUDENTS IN
11 SCHOOL DISTRICTS WITH DECLINING ENROLLMENT AND
12 SCHOOL DISTRICTS WITH ISOLATED SCHOOLS RECEIVING
13 SPECIAL NEEDS FUNDING; AND FOR OTHER PURPOSES.
14

15 **Subtitle**

16 TO ENSURE ADEQUATE FUNDING FOR STUDENTS
17 IN SCHOOL DISTRICTS WITH DECLINING
18 ENROLLMENT AND SCHOOL DISTRICTS WITH
19 ISOLATED SCHOOLS RECEIVING SPECIAL NEEDS
20 FUNDING
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 6-20-2305(a), concerning the public school
26 funding formula, is amended to add an additional subdivision to read as
27 follows:

28 (3)(A) During the 2006-2007 school year, a school district with
29 an average daily membership that is less than the school district's previous
30 year's average daily membership shall receive:

31 (i) Declining enrollment funding equal to the
32 difference between the average of the two (2) immediately preceding years'
33 average daily membership and the average daily membership for the previous
34 school year multiplied by five thousand six hundred twenty dollars (\$5,620);
35 or

36 (ii) Special needs isolated funding under § 6-20-



1 604.

2
 3 (B) Any funding appropriated and available for declining
 4 enrollment funding under this section or special needs isolated funding under
 5 § 6-20-604 that is not distributed under subdivision (a)(3)(A) of this
 6 section shall be prorated and distributed equally per average loss student to
 7 school districts that meet the qualifications for both declining enrollment
 8 funding under subsection (a)(3)(A)(i) of this section and special needs
 9 isolated funding under § 6-20-604.

10
 11 SECTION 2. Arkansas Code § 6-20-604(b), concerning isolated schools
 12 that receive special needs funding, is amended to read as follows:

13 (b) A school district shall receive special needs funding if the
 14 school district meets the requirements of subsections (c) through ~~(e)~~ (f) of
 15 this section, and if:

16 (1) The school district was consolidated or annexed or received
 17 an annexed school under § 6-13-1601 et seq.;

18 (2) The local board of directors by majority vote determines
 19 that the isolated school is so isolated that to combine its operation to one
 20 (1) district campus would be impractical or unwise; and

21 (3) The isolated school or district:

22 (A) Filed an affidavit of isolated school status with the
 23 state board during the consolidation or annexation process and the facts of
 24 the affidavit are verified by the state board or its designee, to meet the
 25 requirements of § 6-20-601;

26 (B) Filed an affidavit of isolated school status with the
 27 state board after the consolidation or annexation process or ~~August 12, 2005,~~
 28 with regard to the 2006-2007 school year no later than June 1, 2006, and the
 29 facts of the affidavit are verified by the state board or its designee to
 30 meet the requirements of § 6-20-601; or

31 (C) Filed an affidavit of isolated school status with the
 32 state board after the consolidation or annexation process or ~~August 12, 2005,~~
 33 with regard to the 2006-2007 school year no later than June 1, 2006, and the
 34 facts of the affidavit are verified by the state board or its designee to
 35 meet the requirements of § 6-20-601 but for the average daily membership
 36 requirements of three hundred fifty (350) students or fewer.

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SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Supreme Court found that the public school funding system continues to be inadequate and the public schools are operating under a constitutional infirmity which must be corrected immediately; that to correct the constitutional infirmity and to provide adequate funding for public education, the amount of funding provided to school districts with declining enrollment and the amount of special needs isolated funding provided to school districts with isolated schools should be increased; and that this act is necessary to allow the Department of Education and the Chief Fiscal Officer of the State sufficient time to make all necessary adjustments, calculations, and distributions to provide adequate funding for school districts with declining enrollments and isolated schools that receive special needs isolated funding. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/ Wilkins

APPROVED: 4/11/2006