

**ARKANSAS SENATE**  
84th General Assembly - Second Extraordinary Session, 2003  
**Amendment Form**

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**Subtitle of House Bill No. 1021**

"AN ACT PERTAINING TO STATE SCHOOL STANDARDS AND TEACHERS SALARIES;  
TO PROVIDE FOR AN ADEQUATE AND EFFICIENT EDUCATION IN ARKANSAS  
SCHOOLS AND ADDRESS THE DISPARITY IN TEACHERS SALARIES."

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**Amendment No. 2 to House Bill No. 1021.**

Amend House Bill No. 1021 as engrossed, S12/23/03 (version: 12-23-2003 11:43):

Add Representative Dees as a cosponsor of the bill

AND

Add Senators Gullett and Horn as cosponsors of the bill

AND

Delete Section 1 of the bill in its entirety

AND

Page 15, line 20 delete "SECTION 2." and substitute "SECTION 1."

AND

Page 16, delete lines 17 through 19 and substitute the following:  
"year in which the contract is effective; and"

AND

Page 16, line 20 delete "(3)" and substitute "(2)"

AND

Page 16, lines 34 and 35 delete "whose teachers have not been assessed"

AND

Page 17, delete lines 23 through 36



AND

Page 18, delete lines 1 through 36

AND

Page 19, delete lines 1 through 25

AND

Page 19, line 27 delete "6-17-2407." and substitute "6-17-2405."

AND

Page 20, delete lines 6 through 19

AND

Page 20, line 21 delete "6-17-2410." and substitute "6-17-2406."

AND

Page 21, line 14 delete "6-17-2411." and substitute "6-17-2407."

AND

Delete Section 3 of the bill in its entirety and substitute the following:

"SECTION 2. (a)(1) On March 1, 2005, the Department of Education shall determine whether each school district meets the Standards of Accreditation for Arkansas Public Schools, as the standards exist by rule on January 1, 2004, and meets the teacher salary requirements provided by law. If on March 1, 2005, a school district fails to meet the standards of accreditation or the teacher salary requirements, the school district shall be subject to sanctions under The Quality Education Act of 2003, § 6-15-201 et seq.

(2)(A) If, as a result of not meeting the Standards of Accreditation for Arkansas Public Schools or the teacher salary requirements as required on March 1, 2005, a school district is ordered to consolidate or to be annexed:

(i) The resulting school district must have at least five hundred (500) students per the district's average daily membership;

(ii) The consolidation or annexation shall be administrative and shall not be construed to require the closing of any school; and

(iii) Any school qualifying as an isolated school under Arkansas Code § 6-20-601 that is in school district subject to consolidation or annexation under this section shall remain open under the resulting district.

(B) Nothing in this section shall prohibit voluntary consolidation or annexation of a school district.

(b)(1) A school district in which at least seventy-five percent (75%)

of the students are eligible for the free or reduced-price lunch program under the National School Lunch Act or any other act of Congress and that does not meet the standards of accreditation during the 2003-2004 school year shall be assigned a school improvement team from the Department of Education by July 1, 2004.

(2) On March 1, 2005, any school district under subdivision (b)(1) that continues to fail to meet the Standards of Accreditation for Arkansas Public Schools or the teacher salary requirements shall be granted one (1) year of probationary status and shall continue to receive assistance from the Department of Education school improvement team if, based on the exams administered in the 2004-2005 school year, the school district shows at least six percent (6%) progress or meets annual yearly progress in three (3) of the following six (6) exams:

(A) The benchmark exams for the fourth grade, sixth grade, and eighth grade; and

(B) The end of course exams for algebra I, geometry, and literature.

### SECTION 3. Consolidation or annexation assistance funds.

(a) Immediately upon the effective date of this act, the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the Auditor of the State the sum of fifteen million dollars (\$15,000,000) from funds received from the Jobs and Growth Tax Relief Reconciliation Act of 2003, Public Law 108-27 to the Department of Education Public School Fund Account there to be used for the consolidation or annexation incentive provided in this section.

(b)(1) The state shall pay consolidation or annexation assistance funds to each school district having an average daily membership of less than five hundred (500) for each of the two (2) school years preceding the school year in which the consolidation or annexation petition is filed, if the school district voluntarily consolidates with another school district or school districts or voluntarily is annexed to another school district or districts and the resulting district has an average daily membership of at least five hundred (500).

(2) The State Board of Education shall promulgate rules concerning the distribution of consolidation or annexation assistance funds.

### SECTION 4. Definitions.

(a) As used in section 2 and 3 of this act, "average daily membership" means the total number of days attended plus the total number of days absent by students in grades kindergarten through twelve (K-12) during the first three (3) quarters of each school year divided by the number of school days actually taught in the district during that period of time rounded up to the nearest hundredth.

(b) Students who may be counted for average daily membership are:

(1) Students who reside within the boundaries of the school district and who are enrolled in a public school operated by the district or a private school for special education students, with their attendance resulting from a written tuition agreement approved by the Department of Education;

(2) Legally transferred students living outside the district but attending a public school in the district; and

(3) Students who reside within the boundaries of the school district and who are enrolled in the Arkansas National Guard Youth Challenge Program, so long as the students are participants in the program.”

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_  
By: Senator Miller  
JDF/CDS - 01-13-2004 14:42 \_\_\_\_\_  
CDS673 Secretary