

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Second Extraordinary Session, 1994**  
4 **By: Representative Mahony**

# A Bill

**Call Item 34**

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO AUTHORIZE THE ARKANSAS DEPARTMENT OF EDUCATION  
9 (ADE) TO EXPEND MINIMUM FOUNDATION PROGRAM AID FUNDS  
10 APPROPRIATED TO THE DEPARTMENT TO ADDRESS DISPARITIES IN  
11 ALLOCATIONS MADE TO ARKANSAS SCHOOL DISTRICTS CONTIGUOUS  
12 TO ADJOINING STATES AND HISTORICALLY AND CONTINUOUSLY  
13 SERVING STUDENTS IN THOSE STATES; AND TO DECLARE AN  
14 EMERGENCY; AND FOR OTHER PURPOSES."

## Subtitle

18 "AUTHORIZING ADE TO EXPEND ADDITIONAL  
19 MFPA FUNDS TO SCHOOL DISTRICTS  
20 CONTIGUOUS TO ADJOINING STATES."

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

25 SECTION 1. Notwithstanding any other provisions of law, the Arkansas  
26 Department of Education is hereby authorized to expend from Minimum Foundation  
27 Program Aid funds appropriated to the department in Section 1 of Act 1312 of  
28 1993 for the biennial period ending June 30, 1995, for the purpose of  
29 providing educational services to Arkansas students in any Arkansas school  
30 district contiguous to an adjoining state and historically and continuously  
31 serving students in that state. These additional amounts shall not exceed:

32 (1) For the fiscal year ending June 30, 1995, two hundred thousand  
33 dollars (\$200,000) to be determined by the department using the following  
34 guidelines:

35 (A) Any grant shall be conditioned upon the passage of a millage

1 increase that is necessary for the long-term survival of a school district;  
2 and

3 (B) That such sums are necessary for a school district to meet  
4 the Standards for Accreditation Of Arkansas Public Schools adopted by the  
5 State Board of Education in 1984 and revised in 1993; and

6 (2) For the fiscal year ending June 30, 1995, one hundred and fifty  
7 thousand dollars (\$150,000) to be determined by the department using the  
8 following guidelines:

9 (A) That the State of Louisiana, or a subdivision thereof, does  
10 not provide all money previously agreed upon to reach two thousand two hundred  
11 and fifty-nine dollars (\$2,259) per child attending the Junction City,  
12 Arkansas, School District and residing on previously established bus routes;  
13 and

14 (B) The money is spent on the Arkansas personnel necessary to  
15 ensure the continuation of and accredited school to include said out-of-state  
16 students.

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18 SECTION 2. All provisions of this act of a general and permanent  
19 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
20 Code Revision Commission shall incorporate the same in the Code.

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22 SECTION 3. If any provision of this act or the application thereof to  
23 any person or circumstance is held invalid, such invalidity shall not affect  
24 other provisions or applications of the act which can be given effect without  
25 the invalid provision or application, and to this end the provisions of this  
26 act are declared to be severable.

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28 SECTION 4. All laws and parts of laws in conflict with this act are  
29 hereby repealed.

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31 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the  
32 Seventy-Ninth General Assembly, meeting in Second Extraordinary Session, that  
33 the provisions of this Act are of critical importance in providing a "general,  
34 suitable and efficient system of public schools" as provided for in the  
35 Arkansas Constitution to those Arkansas students who are enrolled in school

1 districts contiguous to adjoining states; and that failure to provide these  
2 students the same educational opportunities as those afforded to students in  
3 other Arkansas school districts could cause irreparable harm. Therefore, an  
4 emergency is hereby declared to exist, and this Act being necessary for the  
5 immediate preservation of the public peace, health, and safety shall be in  
6 full force and effect from and after its passage.

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