

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

Call Item 15

A Bill

SENATE BILL 23

5 By: Senators Wilkins, Lavery, J. Jeffress, G. Jeffress, Broadway
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7

For An Act To Be Entitled

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

Subtitle

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

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

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

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

30 (i) Declining enrollment funding equal to the
31 difference between the average of the two (2) immediately preceding years'
32 average daily membership and the average daily membership for the previous
33 school year multiplied by five thousand six hundred twenty dollars (\$5620);
34 or

35 (ii) Special needs isolated funding under § 6-20-
36 604.



1 (B) A school district may receive declining enrollment funding
 2 or special needs isolated funding under § 6-20-604, but not both.

3
 4 SECTION 2. Arkansas Code § 6-20-604(b), concerning isolated schools
 5 that receive special needs funding, is amended to read as follows:

6 (b) A school district shall receive special needs funding if the
 7 school district meets the requirements of subsections (c) through (e) of this
 8 section, and if:

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

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

14 (3) The isolated school or district:

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

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

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

30
 31 SECTION 3. Title 6, Chapter 20, Subchapter 23 is amended to add an
 32 additional section:

33 6-20-2307. Declining enrollment and special needs isolated funding.

34 (a) An amount not to exceed thirteen million dollars (\$13,000,000) may
 35 be provided as set forth in subsection (b) of this section to:

36 (1) School districts receiving declining enrollment funding

1 under § 6-20-2305(a)(3); and

2 (2) School districts receiving special needs isolated funding
3 under § 6-20-604.

4 (b)(1) If the amount necessary to provide declining enrollment funding
5 under § 6-20-2305(a)(3) is greater than ten million dollars (\$10,000,000) as
6 determined by the Department of Education and certified to the Chief Fiscal
7 Officer of the State, then funds will be prorated unless additional funds are
8 available for transfer from funds allocated for school districts receiving
9 special needs isolated funding under § 6-20-604.

10 (2) If the amount necessary to provide special needs isolated
11 funding under § 6-20-604 is less than three million dollars (\$3,000,000) as
12 determined by the Department of Education and certified to the Chief Fiscal
13 Officer of the State, then funds will be transferred to funds allocated for
14 declining enrollment funding under § 6-20-2305(a)(3).

15
16 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
17 General Assembly of the State of Arkansas that the Arkansas Supreme Court
18 found that the public school funding system continues to be inadequate and
19 the public schools are operating under a constitutional infirmity which must
20 be corrected immediately; that to correct the constitutional infirmity and to
21 provide adequate funding for public education, the amount of funding provided
22 to school districts with declining enrollment and the amount of special needs
23 isolated funding provided to isolated school districts should be increased;
24 and that this act is necessary to allow the Department of Education and the
25 Chief Fiscal Officer of the State sufficient time to make all necessary
26 adjustments, calculations, and distributions to provide adequate funding for
27 school districts with declining enrollments and isolated schools that receive
28 special needs isolated funding. Therefore, an emergency is declared to exist
29 and this act being necessary for the preservation of the public peace,
30 health, and safety shall become effective on:

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

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

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