

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: 1/26/99

A Bill

Act 100 of 1999
SENATE BILL 149

5 By: Senator Bisbee
6 By: Representatives Allison, Bond
7

For An Act To Be Entitled

10 "AN ACT TO REPEAL AND AMEND VARIOUS OBSOLETE SECTIONS
11 OF TITLE 6 OF THE ARKANSAS CODE ANNOTATED; AND FOR
12 OTHER PURPOSES. "

Subtitle

15 "TO REPEAL AND AMEND VARIOUS OBSOLETE
16 SECTIONS OF TITLE 6 OF THE ARKANSAS CODE
17 ANNOTATED. "

18
19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code Annotated § 6-10-109 is amended to read as
23 follows:

24 "6-10-109. Special program for training parents of students.

25 ~~(a) Believing that parents, as the primary teachers of children, can be~~
26 ~~more effective in helping their children at home if they have close contact~~
27 ~~with the schools and are familiar with their expectations and that such~~
28 ~~parents' involvement will contribute to increased achievement by their~~
29 ~~children, the intent of this section is to establish a special program of~~
30 ~~training for the parents of children enrolled in the public schools of this~~
31 ~~state.~~

32 ~~(b) The Department of Education is directed to develop and implement a~~
33 ~~structured program for training parents as teachers.~~

34 ~~(c) Such a program shall include, but not necessarily be limited to,~~
35 ~~the following:~~

36 ~~(1) Courses for parents to be offered via educational television;~~

1 ~~(2) Materials and study guides to accompany these television~~
2 ~~courses;~~

3 ~~(3) The identification of teachers who are skilled in working~~
4 ~~with parents to conduct instructional sessions;~~

5 ~~(4) Resource speakers, films, and other material; and~~

6 ~~(5) Special support training for any parent trainers who might be~~
7 ~~identified in the implementation of this program.~~

8 ~~(d) Parents who participate in the training authorized by this section~~
9 ~~shall be encouraged to become trainers and to conduct similar sessions for~~
10 ~~additional parent groups in interested school districts.~~

11 ~~(e) Special support training for such parent trainers shall be provided~~
12 ~~by the Department of Education along with a concerted statewide public~~
13 ~~information campaign stressing the role parents can play in helping their~~
14 ~~children achieve more in school.~~

15 ~~(f)(1)(a)~~ Local matching funds shall be required for the parents as
16 teachers program.

17 ~~(2)(A)(b)(1)~~ Only public school districts or education service
18 cooperatives established under Act 103 of the Extraordinary Session of 1983
19 [repealed] or under § 6-13-1001 et seq. are eligible for grants to operate
20 parents as teachers programs.

21 ~~(B)(2)~~ Grantees may subcontract with other agencies for operation
22 of parents as teachers programs.

23 ~~(3)(c)~~ No school district nor any parent or guardian shall be required
24 to participate in the parents as teachers program."

25
26 SECTION 2. Arkansas Code Annotated § 6-11-121 is repealed:

27 ~~6-11-121. National Migrant Student Record Transfer System.~~

28 ~~The following procedures are to be utilized by the National Migrant~~
29 ~~Student Record Transfer System in the Department of Education for the purchase~~
30 ~~or lease of data processing equipment and services, including a central~~
31 ~~processing unit, peripheral equipment, and associated items and programs:~~

32 ~~(1) Upon receipt of a request from the Executive Committee of the~~
33 ~~National Association of Migrant Directors by the Director of General Education~~
34 ~~and the Director of the National Migrant Student Record Transfer System, known~~
35 ~~as the director, the Chief Fiscal Officer of the State and the Arkansas~~
36 ~~Communications Study Committee shall be notified that the request has been~~

1 ~~received and that the National Migrant Student Record Transfer System Director~~
2 ~~is proceeding to upgrade the data processing equipment now in use;~~

3 ~~(2) Upon determination of the additional equipment or modification to~~
4 ~~the existing data processing system in use by the National Migrant Student~~
5 ~~Record Transfer System, the director shall issue bids for the equipment or~~
6 ~~modifications. Bids shall require that the equipment to be purchased or leased~~
7 ~~is consistent with the existing equipment unless specifically designated~~
8 ~~otherwise by the executive committee. The procedure for issuing the bids shall~~
9 ~~be in conformance with state purchasing laws governing equipment purchases~~
10 ~~which are not data processing related;~~

11 ~~(3) Upon receiving the bids as required in subdivision (2) of this~~
12 ~~section, the director shall transmit all bids received and his recommendation~~
13 ~~to the executive committee;~~

14 ~~(4) The executive committee shall certify to the director and the~~
15 ~~Director of the Department of Education its decision concerning the actions to~~
16 ~~be taken after having received the bids and recommendations submitted to it;~~
17 ~~and~~

18 ~~(5) Upon receipt of the certification required in subdivision (4) of~~
19 ~~this section, the director shall enter into contracts for services or~~
20 ~~equipment as required by the executive committee, and the director shall~~
21 ~~notify the Chief Fiscal Officer of the State and the Arkansas Communications~~
22 ~~Study Committee of such action.~~

23
24 SECTION 3. Arkansas Code Annotated §6-11-122 is repealed:

25 ~~6-11-122. Publication of public school laws - Advisory committee.~~

26 ~~(a) The State Board of Education, after consulting and advising with~~
27 ~~the School Laws Publication Advisory Committee created in subsection (b) of~~
28 ~~this section, is authorized to compile and cause to be published the public~~
29 ~~school laws of Arkansas in a single volume and, if it determines it~~
30 ~~appropriate, may provide for periodic publication of supplements to the~~
31 ~~volume.~~

32 ~~(b) There is established the School Laws Publication Advisory Committee~~
33 ~~to be composed of a representative of each of the following: the Arkansas~~
34 ~~Education Association, the Arkansas School Boards Association, the Arkansas~~
35 ~~Association of School Administrators, the Arkansas Rural School Association,~~
36 ~~the General Education Division of the Department of Education, and the~~

1 ~~Vocational and Technical Education Division of the Department of Education.~~
2 ~~(c) The School Laws Publication Advisory Committee shall advise with~~
3 ~~and make recommendations to the State Board of Education regarding the~~
4 ~~publication of the school laws of the state.~~

5
6 SECTION 4. Arkansas Code Annotated § 6-13-627 is repealed:

7 ~~6-13-627. Drug abuse prevention coordinators.~~

8 ~~(a) The school district boards of directors of the public schools of~~
9 ~~this state shall employ at least one (1) certificated person in each school to~~
10 ~~serve as drug abuse prevention coordinators. At the discretion of the school~~
11 ~~district boards of directors, public school districts may utilize existing~~
12 ~~guidance counselors to serve as drug abuse prevention coordinators as an~~
13 ~~alternative to utilizing specialized personnel.~~

14 ~~(b) The duties and responsibilities of drug abuse prevention~~
15 ~~coordinators shall include, but not be limited to, formal or informal~~
16 ~~instruction to students as to the potentially harmful effects to the body of~~
17 ~~abusing controlled substances, legal consequences, relationships to organized~~
18 ~~crime, and other ramifications. Drug abuse prevention coordinators shall also~~
19 ~~make themselves available as resource persons for teachers and other persons~~
20 ~~seeking information.~~

21 ~~(c) The State Board of Education shall promulgate rules and regulations~~
22 ~~regarding the qualifications of drug abuse prevention coordinators. The State~~
23 ~~Board of Education shall make available to local school districts resource~~
24 ~~materials or in-service training programs and seminars pertaining to drug~~
25 ~~abuse, so as to further develop the skills and abilities of certificated~~
26 ~~personnel serving as drug abuse prevention coordinators.~~

27 ~~(d) Public school districts may enter into contracts with other~~
28 ~~districts for purposes of sharing the services of a drug abuse prevention~~
29 ~~coordinator, upon the written approval by the State Board of Education.~~

30
31 SECTION 5. Arkansas Code Annotated § 6-15-301 through 6-15-305 are
32 repealed:

33 ~~6-15-301. Title.~~

34 ~~The title of this subchapter shall be "The Effective School Project Act~~
35 ~~of 1983".~~

36

1 ~~6-15-302. Definition.~~

2 ~~As used in this subchapter, unless the context otherwise requires,~~
3 ~~"effective school" means a school with a high level of student achievement~~
4 ~~with no significant difference between the achievement of economically~~
5 ~~deprived students and the achievement of students from middle or upper class~~
6 ~~environments. The characteristics of effective schools are:~~

7 ~~(1) A safe and orderly environment which is free from threat of~~
8 ~~intimidation or physical harm and is conducive to teaching and learning;~~

9 ~~(2) The principal is the instructional leader and effectively~~
10 ~~interprets the mission of the school to staff, parents, and students;~~

11 ~~(3) A climate of positive expectations is maintained. The staff~~
12 ~~believes both that students can achieve and that the staff has the ability and~~
13 ~~responsibility to deliver the required program;~~

14 ~~(4) The mission of the school is clear, and the staff shares an~~
15 ~~understanding and commitment to instructional goals, priorities, assessment~~
16 ~~procedures, and accountability;~~

17 ~~(5) A significant amount of school time is provided for opportunities~~
18 ~~for direct student participation in learning activities. Time-on-task is~~
19 ~~observed, monitored, and modified by school staff;~~

20 ~~(6) Pupil progress is monitored frequently through informal and formal~~
21 ~~methods; and~~

22 ~~(7) The staff actively seeks the collaboration of parents in achieving~~
23 ~~the goals of the schools.~~

24
25 ~~6-15-303. Project development.~~

26 ~~The Department of Education is authorized and directed to develop and~~
27 ~~implement an effective school project which will include but not necessarily~~
28 ~~be limited to the following activities:~~

29 ~~(1) The identification of a number of effective Arkansas schools;~~

30 ~~(2) The support of the schools so identified to enable them to reach~~
31 ~~model standards; and~~

32 ~~(3) The use of these schools as resource models to stimulate other~~
33 ~~schools to increase their level of effectiveness.~~

34
35 ~~6-15-304. Criteria for selecting participating schools.~~

36 ~~(a) Criteria for selecting schools for participation in the effective~~

1 ~~school project and for the awarding of grant funds which may be made available~~
2 ~~for this program shall be developed by the Department of Education.~~

3 ~~(b) In this process, models will be selected which represent all~~
4 ~~sections of the state and all sizes of school districts.~~

5
6 ~~6-15-305. Inclusion of schools seeking increased effectiveness --~~
7 ~~Continuing support of model schools.~~

8 ~~(a) The implementation phase of this project will be the identification~~
9 ~~of a second group of schools which are committed to school self-assessment and~~
10 ~~which show an interest in increasing their level of effectiveness by~~
11 ~~participating in the effective school project.~~

12 ~~(b) As these schools are involved in the program, the model schools~~
13 ~~will be supported on a continuing basis with current information on models of~~
14 ~~effective schools wherever they exist.~~

15
16 SECTION 6. Arkansas Code Annotated §§ 6-15-416 and 6-15-417 are
17 repealed:

18 ~~6-15-416. Conference -- Parents required to attend.~~

19 ~~(a) For each student failing to achieve mastery level performance on~~
20 ~~the basic competency test at grade levels three (3), six (6), and eight (8)~~
21 ~~within thirty (30) days of the test results being known, each school district~~
22 ~~shall evaluate the student and develop an academic skills plan to assist the~~
23 ~~student in achieving mastery of the basic skills in subject areas where~~
24 ~~performance is below mastery level.~~

25 ~~(b) Once the academic skills plan is developed, a conference shall be~~
26 ~~organized and scheduled, within sixty (60) days of the test results being~~
27 ~~known, for the student's school principal, the student's teachers, the~~
28 ~~student's counselor, and any other necessary person to present the plan to the~~
29 ~~student and the student's parents, guardians, or persons in loco parentis. At~~
30 ~~the request of the parents, guardians, or persons in loco parentis, an~~
31 ~~individual of their choosing may attend the conference with them.~~

32 ~~(c) The conference shall be held at a reasonable time and location to~~
33 ~~be set by the student's school principal, who shall notify the student's~~
34 ~~parents, guardians, or persons in loco parentis in writing by certified mail,~~
35 ~~return receipt requested, of the conference.~~

36

1 ~~6-15-417. Conference - Failure to attend.~~

2 ~~(a) Failure on the part of the student's parents, guardians, or persons~~
3 ~~in loco parentis, upon proper notice as provided herein, to attend the~~
4 ~~conference provided for in § 6-15-416(b) or to change the date and time to one~~
5 ~~which is mutually agreeable, shall subject them to a civil penalty in such~~
6 ~~amount as a court of competent jurisdiction may prescribe but not to exceed~~
7 ~~fifty dollars (\$50.00) plus costs of court and any reasonable fees assessed by~~
8 ~~the court. The fine shall be forwarded by the court to the school district~~
9 ~~attended by the student and placed in a fund set up to defer the cost of~~
10 ~~remedial programs for students failing to achieve mastery level performance on~~
11 ~~the basic competency test. When practicable and appropriate, the court may~~
12 ~~utilize community service requirements in lieu of monetary penalties.~~

13 ~~(b)(1) Each school district shall notify the prosecuting attorney if~~
14 ~~the school attended by the student is located outside of the city limits, or~~
15 ~~the city attorney, if the school attended by the student is located within the~~
16 ~~city limits, whichever is applicable, whenever a parent, guardian, or persons~~
17 ~~in loco parentis violate the provisions of this section and § 6-15-416, who~~
18 ~~shall take whatever action is necessary to collect the penalty provided for~~
19 ~~herein for the school district.~~

20 ~~(2) The failure of the prosecuting attorney to timely pursue~~
21 ~~collection on a case once notified shall be considered neglect of duty,~~
22 ~~subjecting the prosecuting attorney to the provisions of § 16-21-116.~~

23
24 SECTION 7. Arkansas Code Annotated § 6-15-418 is repealed:

25 ~~6-15-418. Failure of school district to comply.~~

26 ~~(a) When the Department of Education determines that a school district~~
27 ~~has failed to comply with the requirements of § 6-15-412 [repealed] or § 6-15-~~
28 ~~413 [repealed] and should be dissolved and merged pursuant to the authority of~~
29 ~~§ 6-15-412 [repealed] or § 6-15-413 [repealed], or both, the Department of~~
30 ~~Education shall notify such district not later than April 15 of the second~~
31 ~~year of the school improvement program that the district has failed to achieve~~
32 ~~the required progress in improving student performance and will be dissolved~~
33 ~~and merged with one (1) or more other school districts.~~

34 ~~(b)(1) If a district believes the Department of Education has~~
35 ~~improperly determined that the district has failed to achieve reasonable~~
36 ~~progress as required by § 6-15-412 [repealed] or § 6-15-413 [repealed], or~~

1 ~~both, the district shall have a right of appeal to the State Board of~~
2 ~~Education. Such appeal must be filed not later than May 1 following the April~~
3 ~~15 notification, and the State Board of Education hearing must be held prior~~
4 ~~to June 15 of the same year.~~

5 ~~(2)(A) If the State Board of Education affirms the determination~~
6 ~~of the Department of Education staff, the district may appeal the ruling of~~
7 ~~the board to the Circuit Court of Pulaski County within thirty (30) days after~~
8 ~~the decision of the State Board of Education.~~

9 ~~(B) The decision of the State Board of Education shall be~~
10 ~~affirmed unless the court determines the action of the board in ordering the~~
11 ~~dissolution and merger of the district was arbitrary and capricious or was not~~
12 ~~supported by any substantial evidence.~~

13
14 SECTION 8. Arkansas Code Annotated §§ 6-15-601 through 6-15-605 are
15 repealed:

16 ~~6-15-601. Program authorization.~~

17 ~~The Department of Education is authorized to develop and implement a~~
18 ~~program for recognizing those teachers, students, and schools which make~~
19 ~~outstanding progress toward predetermined local or state goals.~~

20
21 ~~6-15-602. State Recognition Panel.~~

22 ~~(a) The Director of General Education shall name a State Recognition~~
23 ~~Panel composed of teachers, administrators, students, university~~
24 ~~representatives, and community persons.~~

25 ~~(b) This panel shall be responsible for establishing criteria for~~
26 ~~recognition and for recommending specific individuals and educational programs~~
27 ~~for special recognition.~~

28
29 ~~6-15-603. Exemplary school programs.~~

30 ~~(a) To encourage greater effort on the part of schools and school~~
31 ~~districts to meet the national education goals and to make possible the~~
32 ~~sharing of these exemplary programs with other schools or school districts, a~~
33 ~~program of research and development grants for schools or school districts~~
34 ~~shall be established.~~

35 ~~(1) Schools or school districts throughout the state shall be~~
36 ~~invited to submit applications for such grants, not to exceed ten thousand~~

1 ~~dollars (\$10,000) annually.~~

2 ~~(2) The State Recognition Panel shall screen the applications and~~
3 ~~make awards based on criteria which will include the following:~~

4 ~~(A) The program must be designed to stimulate a significant~~
5 ~~increase in the level of student performance in one (1) or more content areas~~
6 ~~through the use of new and creative methods;~~

7 ~~(B) The program must have implications for use beyond the~~
8 ~~school or school district in which it is developed;~~

9 ~~(C) The program must be designed to meet desired learner~~
10 ~~outcomes; and~~

11 ~~(D) The program must be different from those already~~
12 ~~available and in use, although it may involve a new combination of these.~~

13 ~~(b) At the end of the school year, programs that have proved to~~
14 ~~stimulate a significant increase in the performance levels of students shall~~
15 ~~be selected by the State Recognition Panel to become part of a state exemplary~~
16 ~~education network.~~

17 ~~(c) The school, schools, school district, or school districts that~~
18 ~~developed the exemplary program or programs selected to become part of this~~
19 ~~network shall receive additional research grants not to exceed two thousand~~
20 ~~dollars (\$2,000) to develop training and materials which will allow the~~
21 ~~exemplary programs to be disseminated to other schools or school districts.~~

22
23 ~~6-15-604. Exemplary teachers.~~

24 ~~(a) To encourage greater effort on the part of individual teachers and~~
25 ~~to make possible the sharing of their exemplary practices with other teachers,~~
26 ~~a program of research and development mini-grants for teachers shall be~~
27 ~~established.~~

28 ~~(1) Teachers throughout the state shall be invited to submit~~
29 ~~applications for such grants, not to exceed one thousand dollars (\$1,000)~~
30 ~~annually.~~

31 ~~(2) The State Recognition Panel shall screen the applications and~~
32 ~~make awards to an equal number of elementary and secondary teachers based on~~
33 ~~criteria which will include the following:~~

34 ~~(A) The practice to be used must be a new and creative~~
35 ~~effort to increase student performance in a specific content area;~~

36 ~~(B) The practice must have implications for use beyond the~~

1 ~~classroom in which it is developed;~~

2 ~~(C) The practice must be matched to the identified needs of~~
3 ~~students; and~~

4 ~~(D) The practice must be different from those already~~
5 ~~available and in use, although it may involve a new combination of these.~~

6 ~~(b) At the end of the school year, the five (5) teacher practices that~~
7 ~~have proved to be most successful in raising the performance levels of~~
8 ~~students shall become part of a state exemplary education network.~~

9 ~~(c) The exemplary teachers whose work qualifies them to be a part of~~
10 ~~this network shall receive additional research mini-grants not to exceed five~~
11 ~~hundred dollars (\$500) to develop training and materials which will allow the~~
12 ~~classroom practices which they developed to be disseminated to other schools.~~

13 ~~(d) The State Recognition Panel and the network shall be responsible~~
14 ~~for making other teachers aware of the successful practices and for~~
15 ~~encouraging their adoption elsewhere.~~

16 ~~(e) Such sums included in this subchapter shall not be considered as~~
17 ~~salary or compensation.~~

18
19 ~~6-15-605. Outstanding students.~~

20 ~~(a) Outstanding students shall be identified by the State Recognition~~
21 ~~Panel in two (2) ways:~~

22 ~~(1)(A) At the discretion of the Director of General Education,~~
23 ~~local districts shall be encouraged to develop programs which give recognition~~
24 ~~to students who achieve high academic excellence in the same way recognition~~
25 ~~is now given to high achievement in athletics.~~

26 ~~(B) School districts throughout the state shall be invited~~
27 ~~to submit applications for grants, not to exceed one thousand dollars (\$1,000)~~
28 ~~annually, for development and implementation of innovative student recognition~~
29 ~~programs.~~

30 ~~(C) The State Recognition Panel shall screen the~~
31 ~~applications, and the best programs will be selected.~~

32 ~~(D) The State Recognition Panel shall design the criteria~~
33 ~~for this program;~~

34 ~~(2)(A) In each school district, students who make the largest~~
35 ~~academic gains in a given school year shall be identified and designated as~~
36 ~~master learners.~~

1 ~~(B) Each school district shall submit names and information~~
2 ~~about these students to the State Recognition Panel, which then will make five~~
3 ~~(5) state awards in the form of plaques to these students.~~

4 ~~(b)(1) The State Recognition Panel shall set criteria for an annual~~
5 ~~Governor's Academic Competition with awards and prizes in such critical areas~~
6 ~~of learning as math, science, and citizenship.~~

7 ~~(2) Such competition may involve both regional and statewide~~
8 ~~examinations and contests with schools being encouraged to prepare students~~
9 ~~for excelling in these events.~~

10
11 SECTION 9. Arkansas Code Annotated § 6-16-702 is amended to read as
12 follows:

13 "6-16-702. Authority - Fees.

14 (a)(1) Public schools are hereby authorized to operate optional school
15 programs during the summer, or at other times when the regular school classes
16 are not in session, and to charge fees to students for participating in the
17 programs.

18 (2)(A) If credit is given for the courses taken in the optional
19 programs, the teachers shall meet certification requirements for the courses
20 taught; and

21 (B) The number of hours that classes are in session shall
22 meet the same requirements in effect for the same courses taught in the
23 regular term.

24 ~~(b) No fee shall be charged a student whose enrollment in an optional~~
25 ~~course is made to fulfill the requirements of § 6-15-409 [repealed], which~~
26 ~~requires supplemental instruction to be provided to students who fail the~~
27 ~~eighth grade basic competency test.~~

28 ~~(c)~~ In school districts that operate optional school programs during
29 the summer and in districts where space is available, no fee shall be charged
30 a student who qualifies for free or reduced-price meals and whose enrollment
31 in an academic course is made for the purpose of remediating a deficiency in
32 grades when the student has made a D or an F in an academic course. Other
33 courses offered in summer school for academic credit may be taken without a
34 fee being charged, as space is available, by students who qualify for free or
35 reduced-price meals."

36

SECTION 10. Arkansas Code Annotated § 6-17-105 is repealed:

~~6-17-105. Administrators' reports.~~

~~(a) All principals or head teachers of each public school shall transmit to the county board, or the board's designee, not later than July 10 of each year, a written report showing:~~

~~(1) The number and name of the school district;~~

~~(2) The number by school grades of males and females, respectively, of each race, that attended school during the last preceding school year;~~

~~(3) The average number of each sex in each school grade that attended daily;~~

~~(4) The number of days the school was taught during the year by a licensed teacher;~~

~~(5) The name of each teacher, the grade of his certificate, the salary paid each teacher per month, and the whole amount of salary paid the teacher during the last school year; and~~

~~(6) All other information called for by the State Board of Education.~~

~~(b) In school districts where a superintendent of schools is employed, the principal of each school shall make the report to the superintendent, and he in turn shall make the report to the county school supervisor.~~

~~(c) Failure to make this report shall be subject to a penalty of two (2) weeks' salary of the delinquent principal, teacher, or superintendent.~~

SECTION 11. Arkansas Code Annotated § 6-20-310 is amended to read as follows:

"6-20-310. Local school districts - Required expenditures.

Local school districts must expend the following amounts of money from funds distributed in § 6-20-306 and from local revenues:

~~(1) Local school districts shall expend at least one thousand five hundred forty-eight dollars and fifty-nine cents (\$1,548.59) per average daily membership for classroom teacher salaries;~~

~~(2)(1) Local school districts shall expend state and local revenues on students evaluated as special education students in accordance with existing federal and state laws and department regulations,~~

~~(3)(2) Local school districts shall expend from state and local~~

1 revenues not less than the following amounts on alternative education programs
 2 in accordance with rules and regulations promulgated by the State Board of
 3 Education: The previous year's average daily membership participating in
 4 alternative education, up to two percent (2%) of the previous year's average
 5 daily membership, multiplied by fifteen hundredths (0.15) times the base local
 6 revenue per student; and

7 ~~(4)~~(3) Local school districts shall expend from state and local
 8 revenues not less than the following amounts on gifted and talented programs,
 9 in accordance with rules and regulations promulgated by the State Board of
 10 Education: The previous year's average daily membership participating in
 11 gifted and talented programs, up to five percent (5%) of the previous year's
 12 average daily membership, multiplied by fifteen hundredths (0.15) times the
 13 base local revenue per student."

14
 15 SECTION 12. Arkansas Code Annotated §§ 6-20-1301 through 6-20-1304 are
 16 repealed:

17 ~~6-20-1301. Regulations, reporting forms, and notice to districts.~~

18 ~~The State Board of Education shall promulgate regulations and develop~~
 19 ~~the reporting forms required by this subchapter not later than July 1, 1984,~~
 20 ~~and give notice to school districts in this state of the requirements of this~~
 21 ~~subchapter. Such notice shall go to each district not later than August 1,~~
 22 ~~1984.~~

23
 24 ~~6-20-1302. Report of administrative expenditures.~~

25 ~~(a) Each school district in this state shall report annually to the~~
 26 ~~Department of Education the total expenditures by the district for~~
 27 ~~administrative costs.~~

28 ~~(b) As used in this section:~~

29 ~~(1) "Administrative costs" shall be defined by regulations~~
 30 ~~adopted by the State Board of Education and shall include, but not be limited~~
 31 ~~to:~~

32 ~~(A) Salaries and all fringe benefits paid to all personnel~~
 33 ~~holding administrative certification and employed as administrators;~~

34 ~~(B) Salaries and all fringe benefits of any noncertified~~
 35 ~~personnel employed in an administrative capacity;~~

36 ~~(C) Salaries and all fringe benefits paid to all~~

1 ~~noncertified personnel employed as support personnel for administrative~~
2 ~~purposes;~~

3 ~~(D) Expense reimbursements paid to administrative personnel~~
4 ~~and administrative support personnel for expenses incurred in the performance~~
5 ~~of job duties;~~

6 ~~(E) An allocation for utility payments, maintenance and~~
7 ~~operation, depreciation, and debt service for that part of the district's~~
8 ~~physical plant used as offices for administrative personnel and support~~
9 ~~personnel;~~

10 ~~(2) "Fringe benefits" include:~~

11 ~~(A) All social security taxes, teacher retirement~~
12 ~~contributions, all insurance premium payments, all contributions or premiums~~
13 ~~for any other retirement benefit, annuity, or deferred compensation;~~

14 ~~(B) All subsidies, allowances, or reimbursement for~~
15 ~~housing, utilities, and non-job related transportation;~~

16 ~~(C) The fair market value of the use of any housing~~
17 ~~provided by the district to any administrator, the fair market value of the~~
18 ~~use of any motor vehicle furnished for the personal use of any administrator;~~
19 ~~and~~

20 ~~(D) Such other items as the State Board of Education may by~~
21 ~~regulation include in the definition of "fringe benefit".~~

22 ~~(c) The reporting required by this section shall be on forms developed~~
23 ~~by the Department of Education for such purpose.~~

24
25 ~~6-20-1303. Athletic program expenditures.~~

26 ~~(a) Each school district in this state shall report annually to the~~
27 ~~Department of Education the total expenditures by the district for the~~
28 ~~operation of all athletic programs of the district from all sources of funds.~~

29 ~~(b) The expenditures required to be reported by this section shall be~~
30 ~~defined by regulations to be promulgated by the State Board of Education and~~
31 ~~shall include but not be limited to the following:~~

32 ~~(1) Salaries and fringe benefits for all coaches and assistant~~
33 ~~coaches;~~

34 ~~(2) Expenditures for equipment and uniforms;~~

35 ~~(3) Travel costs and insurance premiums;~~

36 ~~(4) Fees paid for officials;~~

1 ~~(5) An allocation for maintenance and operation, utilities, debt~~
2 ~~service, or depreciation for that portion of the realty and physical plant of~~
3 ~~the district used for the purpose of athletic competition or practice~~
4 ~~therefor.~~

5 ~~(c) Salaries for coaches and assistant coaches who are employed to~~
6 ~~perform coaching and noncoaching duties shall be reported on a pro rata basis.~~

7 ~~(d) The reporting requirement of this section shall be on forms~~
8 ~~developed by the Department of Education for that purpose.~~

9
10 ~~6-20-1304. Nonathletic extracurricular programs.~~

11 ~~(a) Each school district in this state shall report annually to the~~
12 ~~Department of Education the total expenditures by the district for the support~~
13 ~~and operation of nonathletic extracurricular programs.~~

14 ~~(b) The reporting required by this section shall be done in compliance~~
15 ~~with regulations promulgated by the Department of Education and shall be made~~
16 ~~on forms developed by the Department of Education for that purpose.~~

17
18 SECTION 13. 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.

21
22 SECTION 14. 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.

27
28 SECTION 15. All laws and parts of laws in conflict with this act are
29 hereby repealed.

30 /s/ Bisbe

 APPROVED: 2/16/1999e