

Stricken language would be deleted from and underlined language would be added to present law.
Act 52 of the 2nd Extraordinary Session

1 State of Arkansas

As Engrossed: H1/8/04 H1/15/04

Call Item 4

2 84th General Assembly

A Bill

3 Second Extraordinary Session, 2003

HOUSE BILL 1008

4

5 By: Representative Pickett

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For An Act To Be Entitled

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AN ACT TO TRACK THE AMOUNT OF STATE FUNDS THAT

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ARE USED TO SUPPORT INTERSCHOOL ATHLETIC PROGRAMS

11

AND INTERSCHOOL SCHOLASTIC ACTIVITIES IN PUBLIC

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SCHOOLS; AND FOR OTHER PURPOSES.

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Subtitle

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TO TRACK THE AMOUNT OF STATE FUNDS THAT

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ARE USED TO SUPPORT ATHLETIC PROGRAMS

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AND INTERSCHOOL SCHOLASTIC ACTIVITIES IN

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PUBLIC SCHOOLS.

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

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SECTION 1. Arkansas Code Title 6, Chapter 20, is amended to add an additional subchapter to read as follows:

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6-20-2001. Purpose.

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The purpose of this subchapter is to track and account for the amount of state funds that is used to support interschool athletic programs in public schools.

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6-20-2002. Definitions.

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As used in this subchapter:

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(1) "Athletic expenditures" means all direct and indirect expenses related to interschool athletic programs, prorated if necessary, including but not limited to:

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(A) Salaries or supplemental pay for staff for interschool



1 athletic programs, excluding salaries received for duties as a classroom
2 teacher;

3 (B) All fringe benefits, including, but not limited to,
4 medical and dental insurance, workers' compensation, pension plans, and any
5 other costs associated with employment of staff for interschool athletic
6 programs;

7 (C) Travel, including bus-related operation and
8 maintenance;

9 (D) Equipment;

10 (E) Meals;

11 (F) Supplies;

12 (G) Property and medical insurance;

13 (H) Medical expenses;

14 (I) Utilities; and

15 (J) Maintenance of facilities related to interschool
16 athletic teams and spirit groups, excluding bands;

17 (2) "Classroom teacher" means an individual who is required to
18 hold a teaching license from the Department of Education and who is engaged
19 directly in instruction with students in a classroom setting for more than
20 seventy percent (70%) of the individual's contracted time;

21 (3) "Interschool athletic program" means:

22 (A) Any athletic program which is organized primarily for
23 the purpose of competing with other schools, public or private; or

24 (B) Any athletic program which is subject to regulation by
25 the Arkansas Activities Association; and

26 (4) "State funds" means all money derived from state revenues,
27 specifically including but not limited to, distributions from the Department
28 of Education Public School Fund Account and ad valorem property taxes
29 distributed to a public school or school district.

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31 6-20-2003. Certification by local district school board.

32 (a) Annually by September 15 of each year, the local school board of
33 each school district shall:

34 (1) In a written report, certify to the State Board of
35 Education:

36 (A) For the previous school year, the amount of the

1 district's total athletic expenditures for interschool athletic programs that
2 were paid from state funds; and

3 (B) For the upcoming school year, the district's total
4 athletic expenditures budgeted for interschool athletic programs that are to
5 be paid from state funds;

6 (2) Provide the state board with a report of the school
7 district's total athletic expenditures paid from state funds in a format
8 approved by the state board or the Department of Education for the previous
9 school year;

10 (3) Provide the state board with a budget for the athletic
11 expenditures to be paid from state funds as set forth under subdivision
12 (a)(1)(B) of this section for the upcoming year; and

13 (4) Provide the state board and the department with any
14 additional information or documentation requested.

15 (b)(1) Any school district failing to comply with the provisions of
16 this subchapter and the rules adopted by the state board for the
17 implementation of this subchapter shall be identified by the department to be
18 a school in fiscal distress in accordance with the Arkansas Fiscal Assessment
19 and Accountability Program, § 6-20-1901 et seq.

20 (2) Any report required by this subchapter shall be subject to a
21 yearly audit which shall be filed as set forth under §§ 6-20-1801 – 6-20-
22 1804.

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24 6-20-2004. Regulations.

25 (a) By May 1, 2004, the State Board of Education shall promulgate any
26 rules necessary for the implementation of this subchapter.

27 (b) The rules shall include a procedure to be developed by the
28 Department of Education to ensure uniform reporting of athletic expenditures.

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30 SECTION 2. Arkansas Code Title 6, Chapter 20, is amended to add an
31 additional subchapter to read as follows:

32 6-20-2101. Purpose.

33 The purpose of this subchapter is to track and account for the amount
34 of state funds that is used to support interschool scholastic activities in
35 public schools.

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1 6-20-2102. Definitions.

2 As used in this subchapter:

3 (1) "Interschool scholastic activity expenditures" means all
4 direct and indirect expenses related to interschool scholastic activities,
5 prorated if necessary, including but not limited to:

6 (A) Salaries or supplemental pay for staff for interschool
7 scholastic activities, excluding salaries received for duties as a classroom
8 teacher;

9 (B) All fringe benefits, including, but not limited to,
10 medical and dental insurance, workers' compensation, pension plans, and any
11 other costs associated with employment of staff for interschool scholastic
12 activities;

13 (C) Travel, including bus-related operation and
14 maintenance;

15 (D) Equipment;

16 (E) Meals;

17 (F) Supplies;

18 (G) Property and medical insurance;

19 (H) Medical expenses;

20 (I) Utilities; and

21 (J) Maintenance of facilities related to interschool
22 scholastic activities;

23 (2) "Classroom teacher" means an individual who is required to
24 hold a teaching license from the Department of Education and who is engaged
25 directly in instruction with students in a classroom setting for more than
26 seventy percent (70%) of the individual's contracted time;

27 (3)(A) "Interschool scholastic activities " means any
28 interschool activity program that is outside the regular curriculum,
29 excluding interschool athletic programs as defined by § 6-20-2002(3), which
30 is organized primarily for the purpose of competing with other schools,
31 public or private; or

32 (B) Any program or activity, excluding interschool
33 athletic programs as defined by § 6-20-2002(3), which is subject to
34 regulation by the Arkansas Activities Association; and

35 (4) "State funds" means all money derived from state revenues,
36 specifically including but not limited to, distributions from the Department

1 of Education Public School Fund Account and ad valorem property taxes
2 distributed to a public school or school district.

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4 6-20-2103. Certification by local district school board.

5 (a) Annually by September 15 of each year, the local school board of
6 each school district shall:

7 (1) In a written report, certify to the State Board of
8 Education:

9 (A) For the previous school year, the amount of the
10 district's total interschool scholastic activity expenditures that were paid
11 from state funds; and

12 (B) For the upcoming school year, the district's total
13 budgeted interschool scholastic activity expenditures to be paid from state
14 funds;

15 (2) Provide the state board with a report of the school
16 district's total interschool scholastic activity expenditures paid from state
17 funds in a format approved by the state board or the Department of Education
18 for the previous school year;

19 (3) Provide the state board with a budget for the interschool
20 scholastic activity expenditures to be paid from state funds as set forth
21 under subdivision (a)(1)(B) of this section for the upcoming year; and

22 (4) Provide the state board and the department with any
23 additional information or documentation requested.

24 (b)(1) Any school district failing to comply with the provisions of
25 this subchapter and the rules adopted by the state board for the
26 implementation of this subchapter shall be identified by the department to be
27 a school in fiscal distress in accordance with the Arkansas Fiscal Assessment
28 and Accountability Program, § 6-20-1901 et seq.

29 (2) Any report required by this subchapter shall be subject to a
30 yearly audit which shall be filed as set forth under §§ 6-20-1801 – 6-20-
31 1804.

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33 6-20-2104. Regulations.

34 (a) By May 1, 2004, the State Board of Education shall promulgate any
35 rules necessary for the implementation of this subchapter.

36 (b) The rules shall include a procedure to be developed by the

1 Department of Education to ensure uniform reporting of interschool scholastic
2 activity expenditures.

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/s/ Pickett

APPROVED: 1/26/2004