

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1052 of the Regular Session

As Engrossed: S3/26/07 H3/29/07

A Bill

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

SENATE BILL 919

4
5 By: Senator Laverty
6 By: Representatives Davenport, Ragland, Overbey

7
8
9 **For An Act To Be Entitled**

10 AN ACT TO EQUALIZE FOUNDATION FUNDING FOR SPECIAL
11 NEEDS PUBLIC SCHOOL DISTRICTS; AND FOR OTHER
12 PURPOSES.

13
14 **Subtitle**

15 AN ACT TO EQUALIZE FOUNDATION FUNDING
16 FOR SPECIAL NEEDS PUBLIC SCHOOL
17 DISTRICTS.

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

21
22 SECTION 1. Arkansas Code § 6-20-604(b), concerning additional funding
23 for special needs, is amended to read as follows:

24 (b) A school district shall receive special needs funding if the
25 school district meets the requirements of subsections (c) through (f) of this
26 section, and if:

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

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

32 (3) The isolated school or district:

33 (A) Filed an affidavit of isolated school status with the
34 state board during the consolidation or annexation process and the facts of
35 the affidavit are verified by the state board or its designee to meet the



1 requirements of § 6-20-601;

2 (B) Filed an affidavit of isolated school status with the
3 state board after the consolidation or annexation process or with regard to
4 the 2006-2007 school year no later than June 1, 2006, and the facts of the
5 affidavit are verified by the state board or its designee to meet the
6 requirements of § 6-20-601; or

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

13

14 *SECTION 2. Arkansas Code § 6-20-604(f) - (i), concerning additional*
15 *funding for special needs, is amended to read as follows:*

16 (f) *A school district shall receive an amount equal to five percent*
17 *(5%) of the foundation funding received by the school district under § 6-20-*
18 *2305(a)(2) based on the three-quarter average daily membership of the school*
19 *district if the district has a:*

20 (1) *Three-quarter average daily membership of fewer than five*
21 *hundred (500) students; and*

22 (2) *Density ratio of two (2) students or fewer per square mile.*

23 (g) *A school district eligible for special needs funding under this*
24 *section shall continue to be eligible to receive isolated school funding*
25 *provided under § 6-20-603 but shall only receive funding under one (1) of the*
26 *categories established under subsections (c)-(f) ~~in~~ of this section.*

27 (h)(1) *A school district eligible to receive isolated funding under §*
28 *6-20-603 shall continue to receive partial funding under § 6-20-603 even if*
29 *part of the isolated schools are closed, but a school district shall not*
30 *receive funding under § 6-20-603 for any isolated schools or parts thereof*
31 *that have been closed by the local board of directors.*

32 (2) *If part of the isolated schools in a district are closed,*
33 *the school district shall receive funding under § 6-20-603 based on the*
34 *three-quarter average daily membership of the isolated schools or parts*
35 *thereof that remain open in the district.*

36 (i)(1) *The provisions of this section are contingent on the*

1 appropriation and availability of funding for its purposes.

2 (2)(A) Undistributed funds under this section and § 6-20-603
3 allocated to a school district that is no longer eligible to receive the
4 funding shall be distributed on an equal basis per school district to each
5 remaining school district that is eligible to receive funds under subsections
6 (c) through (e) of this section.

7 (B) Funds distributed under subdivision (i)(2)(A) of this
8 section shall be used by the school district only for transportation costs of
9 the isolated schools in the school district.

10 (3) Funding provided under this section is in addition to and in
11 excess of the amount of funds necessary to provide an adequate education as
12 required by the Arkansas Constitution and cannot be relied upon beyond the
13 2007-2009 biennium.

14
15 /s/ Laverty

16
17 APPROVED: 4/4/2007
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36