

**Hall of the House of Representatives**  
88th General Assembly - Regular Session, 2011  
**Amendment Form**

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**Subtitle of House Bill No. 1877**

TO ENSURE THAT SCHOOL DISTRICTS BELOW A SPECIFIC STUDENT ACHIEVEMENT  
LEVEL USE PUBLIC SCHOOL FUNDING TO IMPROVE STUDENT ACADEMIC  
ACHIEVEMENT.

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**Amendment No. 2 to House Bill No. 1877**

Amend House Bill No. 1877 as engrossed, H3/16/11 (version: 3/16/2011 11:56:15 AM)

Page 1, delete lines 10-11 and substitute the following:  
"FUNDING TO IMPROVE STUDENT ACADEMIC ACHIEVEMENT; AND FOR OTHER"

AND

Delete Sections 1-3 of the bill in their entirety

AND

Page 3, line 1, delete "SECTION 4." and substitute "SECTION 1."

AND

Page 3, delete lines 20-27 and substitute "facilities."

AND

Delete Sections 5-8 of the bill in their entirety and substitute the following:

"SECTION 2. Arkansas Code Title 6, Chapter 20, Subchapter 23 is amended to add an additional section to read as follows:  
6-20-2308. School district use of foundation funding.

(a) As used in this section:

(1) "Foundation funding" means the amount of funding



a school district is required to spend to provide an adequate education for its students in a school year calculated as the per-student foundation funding amount under § 6-20-2305(a)(2) multiplied by the three quarter average daily membership of a school district for the previous year;

(2) "Foundation funding carry-forward" means the amount of foundation funding carried forward from the immediately preceding school year; and

(3) "Student achievement criteria" means the criteria established by the State Board of Education consisting of one (1) or more indicators of student growth and achievement to determine the level at which a school district or public charter school is subject to a restriction on spending foundation funding and foundation funding carry-forward.

(b)(1) A school district or public charter school shall maintain foundation funding and foundation funding carry-forward in a designated fund that does not include funding from any other source of revenue, as established by state board rules.

(2) The amount of a school district's foundation funding carry-forward existing on June 30, 2011, shall be placed in the designated fund for foundation funding and foundation funding carry-forward.

(c) By September 1, 2011, the State Board of Education shall establish by rule the student achievement criteria.

(d)(1) Beginning with the 2012-2013 school year, the Department of Education shall annually identify at which of the following levels a school district or public charter school meets the student achievement criteria:

(A) Eighty percent (80%) or more of the school district's or public charter school's students meet the student achievement criteria;

(B) Sixty-five percent (65%) or more but less than eighty percent (80%) of the school district's or public charter school's students meet the student achievement criteria;

(C) More than fifty percent (50%) but less than sixty-five percent (65%) of the school district's or public charter school's students meet the student achievement criteria;  
or

(D) Fifty percent (50%) or less of the school district's or public charter school's students meet the student achievement criteria.

(2) A school district at the level under:

(A) Subdivision (d)1)(A) of this section is not

restricted on spending foundation funding and foundation funding carry-forward.

(B) Subdivision (d)1)(B) of this section shall spend during the school year all foundation funding and foundation funding carry-forward to provide an adequate education to its students;

(C)(1) Subdivision (d)(1)(C) of this section shall spend all foundation funding and foundation funding carry-forward under the guidance of the department.

(2) All spending under this subdivision (d)(2)(C) shall be directed to implement evidence-based programs designed to improve student achievement that may include without limitation after-school programs and tutoring; and

(D)(i) Subdivision (d)(1)(D) of this section shall be identified as being in academic distress, fiscal distress, or both by the department; and

(ii) Spend all foundation funding and foundation funding carry-forward as directed by the department.

(e) A school district or public charter school shall be identified by the department as being in academic distress under § 6-15-428 or fiscal distress under § 6-13-1027, or both, if the school district or public charter school does not comply with the requirements of this section for the level at which the school district is identified under subsection (d) of this section."

The Amendment was read \_\_\_\_\_  
By: Representative Pierce  
CLR/CLR - 03/18/11 08:30  
CLR280

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Chief Clerk