

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.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1960

4
5 By: Representative Stewart
6 By: Senator Teague

For An Act To Be Entitled

10 AN ACT TO CHANGE THE CALCULATION OF MINIMUM
11 ENROLLMENT FOR ADMINISTRATIVE REORGANIZATION; AND
12 FOR OTHER PURPOSES.

Subtitle

14 TO CHANGE THE CALCULATION OF MINIMUM
15 ENROLLMENT FOR ADMINISTRATIVE
16 REORGANIZATION.

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

21
22 SECTION 1. Arkansas Code § 6-13-1601(4), concerning the definition of
23 average daily membership as used in the Public Education Reorganization Act,
24 is amended to read as follows:

25 (4)(A) "Average daily membership" means the total number of days
26 attended plus the total number of days absent by students in grades
27 ~~kindergarten~~ prekindergarten through twelve ~~(K-12)~~ (preK-12) during the first
28 three (3) quarters of each school year divided by the number of school days
29 actually taught in the school district during that period of time rounded up
30 to the nearest hundredth.

31 (B) Students who may be counted for average daily
32 membership are:

33 (i) Students who reside within the boundaries of the
34 school district and who are enrolled in a public school operated by the
35 school district or a private school for special education students, with
36 their attendance resulting from a written tuition agreement approved by the



1 Department of Education;

2 (ii) Legally transferred students living outside the
3 school district but attending a public school in the school district; ~~and~~

4 (iii) Students who reside within the boundaries of
5 the school district and who are enrolled in the Arkansas National Guard Youth
6 Challenge Program, so long as the students are participants in the program;
7 and

8 (iv)(a) Students enrolled in a state-supported
9 prekindergarten program operated on a school campus in the school district.

10 (b) The General Assembly finds that the
11 administrative reorganization of a public school district under this
12 subchapter also impacts the prekindergarten students counted under this
13 subdivision (4)(B)(iv). Therefore, prekindergarten students are included in
14 the calculation of average daily membership but only for the limited purpose
15 of calculating the minimum enrollment number for administrative consolidation
16 or annexation under this subchapter. The inclusion of prekindergarten
17 students in average daily membership shall not be construed to mean that
18 prekindergarten students are or should be counted for the purposes of per
19 student funding.

20
21 SECTION 2. In calculating the average daily membership of a school
22 district for the school year 2008-2009, the Department of Education shall
23 include students enrolled in a state-supported prekindergarten program
24 operated on a school campus in the school district as provided in this act.

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