

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H4/2/13 H4/12/13

A Bill

HOUSE BILL 1774

5 By: Representative McLean
6 By: Senators J. Key, *Elliott*
7

For An Act To Be Entitled

9 AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS
10 CODE CONCERNING PUBLIC SCHOOL FUNDING *AMOUNTS; TO*
11 *DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.*
12
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Subtitle

14 *TO AMEND VARIOUS PROVISIONS OF THE*
15 *ARKANSAS CODE CONCERNING PUBLIC SCHOOL*
16 *FUNDING AMOUNTS; AND TO DECLARE AN*
17 *EMERGENCY.*
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 6-20-2305(a)(2), concerning per-student*
24 *foundation funding amounts, is amended to read as follows:*

25 *(2)(A) For the ~~2011-2012~~ 2013-2014 school year, the foundation*
26 *funding amount is equal to ~~six thousand one hundred forty-four dollars~~*
27 *~~(\$6,144)~~ six thousand three hundred ninety-three dollars (\$6,393) multiplied*
28 *by the school district's average daily membership for the previous school*
29 *year.*

30 *(B) For the ~~2012-2013~~ 2014-2015 school year and each*
31 *school year thereafter, the foundation funding amount is equal to ~~six~~*
32 *~~thousand two hundred sixty-seven dollars (\$6,267)~~ six thousand five hundred*
33 *twenty-one dollars (\$6,521) multiplied by the school district's average daily*
34 *membership for the previous school year.*
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36 *SECTION 2. Arkansas Code § 6-20-2305(b)(2)(A)(i) and (ii), concerning*



1 *per-student state categorical funding amounts for alternative learning*
2 *environments, are amended to read as follows:*

3 *(2)(A)(i) For the ~~2011-2012~~ 2013-2014 school year, alternative*
4 *learning environment funding shall be ~~four thousand one hundred forty five~~*
5 *~~dollars (\$4,145)~~ four thousand three hundred five dollars (\$4,305) multiplied*
6 *by the number of identified alternative learning environment students*
7 *enrolled during the previous school year.*

8 *(ii) For the ~~2012-2013~~ 2014-2015 school year and*
9 *each school year thereafter, alternative learning environment funding shall*
10 *be ~~four thousand two hundred twenty eight dollars (\$4,228)~~ four thousand*
11 *three hundred eighty-three dollars (\$4,383) multiplied by the number of*
12 *identified alternative learning environment students enrolled during the*
13 *previous school year.*

14
15 *SECTION 3. Arkansas Code § 6-20-2305(b)(3)(A) and (B), concerning per-*
16 *student state categorical funding amounts for English-language learners, are*
17 *amended to read as follows:*

18 *(3)(A) For the ~~2011-2012~~ 2013-2014 school year, funding for*
19 *students who are identified as English-language learners shall be ~~two hundred~~*
20 *~~ninety nine dollars (\$299)~~ three hundred eleven dollars (\$311) for each*
21 *identified English-language learner.*

22 *(B) For the ~~2012-2013~~ 2014-2015 school year and each*
23 *school year thereafter, funding for students who are identified as English-*
24 *language learners shall be ~~three hundred five dollars (\$305)~~ three hundred*
25 *seventeen dollars (\$317) for each identified English-language learner.*

26
27 *SECTION 4. Arkansas Code § 6-20-2305(b)(4)(A)(i)-(iii), concerning*
28 *per-student state categorical funding amounts for national school lunch*
29 *students, are amended to read as follows:*

30 *(i) For a school district in which ninety percent*
31 *(90%) or greater of the previous school year's enrolled students are national*
32 *school lunch students, the amount of per-student national school lunch state*
33 *categorical funding ~~shall be one thousand five hundred eighteen dollars~~*
34 *~~(\$1,518) for the 2011-2012 school year, and is one thousand five hundred~~*
35 *~~forty-nine dollars (\$1,549) for the 2012-2013 school year and for each school~~*
36 *~~year thereafter;~~*

1 (ii) For school districts in which at least seventy
2 percent (70%) but less than ninety percent (90%) of the previous school
3 year's enrolled students are national school lunch students, the amount of
4 per-student national school lunch state categorical funding ~~shall be one~~
5 ~~thousand twelve dollars (\$1,012) for the 2011-2012 school year, and is~~ one
6 ~~thousand thirty-three dollars (\$1,033) for the 2012-2013 school year and for~~
7 ~~each school year thereafter; and~~

8 (iii) For school districts in which less than
9 seventy percent (70%) of the previous school year's enrolled students are
10 national school lunch students, the amount of ~~per-student~~ per-student
11 national school lunch state categorical funding ~~shall be five hundred six~~
12 ~~dollars (\$506) for the 2011-2012 school year, and is~~ five hundred seventeen
13 ~~dollars (\$517) for the 2012-2013 school year and each school year thereafter.~~
14

15 SECTION 5. Arkansas Code § 6-20-2305(b)(5)(A) and (B), concerning per-
16 student state categorical funding amounts for professional development, are
17 amended to read as follows:

18 (5)(A) For the ~~2011-2012~~ 2013-2014 school year, professional
19 development funding shall be equal to an amount of up to ~~fifty-one dollars~~
20 ~~(\$51.00)~~ fifty-three dollars (\$53.00) multiplied by the school district's
21 previous school year average daily membership.

22 (B) For the ~~2012-2013~~ 2014-2015 school year and each school
23 year thereafter, professional development funding shall be equal to an amount
24 of up to ~~fifty-two dollars (\$52.00)~~ fifty-four dollars (\$54.00) multiplied by
25 the school district's previous school year average daily membership.
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27 SECTION 6. DO NOT CODIFY. TEMPORARY LANGUAGE.

28 (a) The General Assembly finds that:

29 (1) It is the duty of the State of Arkansas to provide a
30 general, suitable, and efficient system of free public schools to the
31 children of the state, under Arkansas Constitution, Article 14, § 1;

32 (2) The General Assembly is obligated to ensure the provision of
33 an adequate and equitable system of education;

34 (3) The House Committee on Education, the Senate Committee on
35 Education, and the Eighty-ninth General Assembly examined national school
36 lunch state categorical funding to determine how the funding affects student

1 achievement;

2 (4) While the state's goal in providing national school lunch
3 state categorical funding is to provide a greater level of resources to
4 school districts with the highest concentration of economically disadvantaged
5 students, the current method of funding should be improved to better meet
6 that goal;

7 (5) The evidence presented to the House Committee on Education,
8 the Senate Committee on Education, and the Eighty-ninth General Assembly
9 indicates that the method in which national school lunch state categorical
10 funding is distributed should change;

11 (6) Evidence presented to the House Committee on Education and
12 the Senate Committee on Education in March 2013 shows that the current method
13 of funding national school lunch state categorical amounts should be revised
14 to align more directly with student achievement;

15 (7) The current method of distributing national school lunch
16 state categorical funding does not differentiate between the family income
17 levels of students who are at significantly different poverty levels;

18 (8) A change in the method of distributing national school lunch
19 state categorical funding should produce a greater alignment of funding with
20 concentrations of national school lunch students and focus the existing
21 resources on programs associated with achievement gains for economically
22 disadvantaged and low-performing students;

23 (9) School districts should only be permitted to use national
24 school lunch state categorical funding to fund evidence-based programs
25 directed at improving student achievement for economically disadvantaged and
26 low-performing students;

27 (10) The House Committee on Education and the Senate Committee
28 on Education, meeting jointly, adopted two recommendations for national
29 school lunch state categorical funding:

30 (A) Replace the current national school lunch state
31 categorical funding mechanism with a model that provides funding for
32 economically disadvantaged students on a sliding scale; and

33 (B) Prioritize and focus school districts' allowable uses
34 of educational funding for economically disadvantaged students;

35 (11) The recommendations in subdivision (10) were adopted
36 partially in response to a report by the Bureau of Legislative Research

1 indicating that current national school lunch state categorical funding
2 levels have not achieved desired achievement gains. The bureau also found
3 that the number of allowed uses for national school lunch state categorical
4 funding may dilute the impact of the funding but that further study would be
5 necessary to determine whether this is so;

6 (12) While these concerns are important, the General Assembly
7 has not had sufficient time to act on the findings and recommendations of the
8 House Committee on Education and the Senate Committee on Education to find
9 the best possible solution to the identified problems and recommendations.
10 More time and study is needed to determine how best to implement the
11 recommendations. However, it is clear that the evidence strongly suggests
12 that an increase of national school lunch state categorical funding for the
13 upcoming school year is unlikely to produce the expected increase in academic
14 achievement for the students for whom the funding is provided.

15 (b) The House Committee on Education and the Senate Committee on
16 Education, in conjunction with the bureau and the Department of Education,
17 shall conduct a study and make the following recommendations to the Eighty-
18 ninth General Assembly for consideration during the 2014 Fiscal Session:

19 (1) A list of evidence-based programs for which national school
20 lunch state categorical funds may be expended by school districts; and

21 (2) A new national school lunch state categorical funding
22 formula to replace the current national school lunch state categorical
23 funding mechanism with a model that:

24 (A) Provides funding for economically disadvantaged
25 students on a sliding scale; and

26 (B) Weights the funding to provide more money to school
27 districts for students who, under federal poverty guidelines, qualify for
28 free meals than it provides to students who qualify for reduced-priced meals.

29
30 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the
31 General Assembly of the State of Arkansas that it is the state's
32 constitutional obligation to provide a general, suitable, and efficient free
33 system of public schools in the state; that the public school funding
34 distribution changes in this act are necessary to ensure that proper funding
35 is provided to public schools and school districts; and that this act is
36 immediately necessary so that public schools and school districts will

1 receive the amount of funding provided under this act for the 2013-2014
2 school year. Therefore, an emergency is declared to exist and this act being
3 immediately necessary for the preservation of the public peace, health, and
4 safety shall become effective on July 1, 2013.

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/s/McLean