

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas As Engrossed: S1/25/21 S1/26/21

2 93rd General Assembly

A Bill

3 Regular Session, 2021

SENATE BILL 142

4

5 By: Senators K. Ingram, Elliott, L. Chesterfield, L. Eads, J. Sturch

6 By: Representatives Cozart, Beck, Bragg, Bryant, Deffenbaugh, Evans, D. Ferguson, C. Fite, Holcomb,

7 Hollowell, McGrew, McNair, Milligan, Nicks, Rye, S. Smith, Tollett, Vaught, Watson, Wing, Wooten, D.

8 *Garner*

9

For An Act To Be Entitled

11 AN ACT CONCERNING FUNDING BASED ON THE AVERAGE DAILY
12 MEMBERSHIP OF A SCHOOL DISTRICT OR OPEN-ENROLLMENT
13 PUBLIC CHARTER SCHOOL; TO DECLARE AN EMERGENCY; AND
14 FOR OTHER PURPOSES.

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Subtitle

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CONCERNING FUNDING BASED ON THE AVERAGE

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DAILY MEMBERSHIP OF A SCHOOL DISTRICT OR

20

OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL;

21

AND TO DECLARE AN EMERGENCY.

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

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26 SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Legislative findings.

27 It is found by the General Assembly that:

28 (1) The coronavirus 2019 (COVID-19) pandemic has resulted in a

29 substantial disruption to the traditional educational environment and

30 administration of the state's kindergarten through grade twelve (K-12) public

31 schools and open-enrollment public charter schools; and

32 (2) As a result of the substantial disruption to the operation

33 of public schools and open-enrollment public charter schools caused by the

34 coronavirus 2019 (COVID-19) pandemic, public schools and open-enrollment

35 public charter schools have been unable to accurately track the average daily

36 membership due to:



1 (A) Fluctuating numbers of students attending in-person or
2 virtual instruction;

3 (B) Public schools and open-enrollment public charter
4 schools not having adequate oversight of students attending school virtually
5 to apply regular attendance counting; and

6 (C) A number of students who are missing.

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8 SECTION 2. Arkansas Code § 6-20-2305(a)(3)(A), concerning school
9 funding, is amended to read as follows:

10 (3)(A) A school district that has experienced a decline in
11 average daily membership over the two (2) immediately preceding school years
12 shall receive:

13 (i) Declining enrollment funding equal to:

14 (a) For the 2021-2022 school year, the
15 difference between the 2019-2020 and 2020-2021 school average of the two (2)
16 immediately preceding years' average daily memberships and the average daily
17 membership for the previous school year multiplied by the amount of
18 foundation funding set forth provided in subdivision (a)(2) of this section;
19 and

20 (b) For the 2022-2023 school year and each
21 following school year, the difference between the average of the two (2)
22 immediately preceding years' average daily memberships and the average daily
23 membership for the previous school year multiplied by the amount of
24 foundation funding provided in subdivision (a)(2) of this section; or

25 (ii) Special needs isolated funding under § 6-20-
26 604.

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28 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
29 General Assembly of the State of Arkansas that the coronavirus 2019 (COVID-
30 19) pandemic has resulted in a substantial disruption to the traditional
31 educational environment and system in the state's kindergarten through grade
32 twelve (K-12) public schools and open-enrollment public charter schools; that
33 amendments to the law as provided in this act are needed to immediately
34 address funding shortages and other issues that public schools and open-
35 enrollment public charter schools may face as a result of the substantial
36 disruption caused by the coronavirus 2019 (COVID-19) pandemic; and that this

1 act is immediately necessary to maintain the orderly operation of public
2 schools and open-enrollment public charter schools so that students in this
3 state continue to receive an adequate education. Therefore, an emergency is
4 declared to exist, and this act being immediately necessary for the
5 preservation of the public peace, health, and safety shall become effective
6 on:

7 (1) The date of its approval by the Governor;

8 (2) If the bill is neither approved nor vetoed by the Governor,
9 the expiration of the period of time during which the Governor may veto the
10 bill; or

11 (3) If the bill is vetoed by the Governor and the veto is
12 overridden, the date the last house overrides the veto.

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14 /s/K. Ingram
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