

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 *As Engrossed: H2/21/07 H2/23/07 S2/28/07 S3/5/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

HOUSE BILL 1632

4

5 By: Representatives Kenney, Abernathy, Blount, T. Bradford, Cheatham, Cook, Dickinson, Everett,
6 Harris, J. Johnson, Lamoureux, M. Martin, Norton, Petrus, Pickett, Rainey, Rosenbaum, Saunders,
7 Walters, Wood, Wagner, *Adcock, Allen, Anderson, T. Baker, Berry, Bond, Breedlove, E. Brown, J.*
8 *Brown, Burkes, Burris, Cash, Chesterfield, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport,*
9 *Davis, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Flowers, Garner, Gaskill, George, Glidewell, R.*
10 *Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Hyde,*
11 *Jeffrey, D. Johnson, Key, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Moore,*
12 *Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Reep, Reynolds, J.*
13 *Roebuck, Rogers, Sample, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Webb, Wells,*
14 *Wills, Woods, Wyatt*

15 By: Senators Broadway, Critcher, Baker, Bookout, B. Johnson, Wilkins, Womack, Argue, Bisbee, G.
16 *Jeffress, J. Jeffress, Capps, Laverty, J. Taylor, Salmon, Miller, Hendren*

17

18

19

For An Act To Be Entitled

20

AN ACT IN CONCORDANCE WITH THE 2006 ACT 57

21

ADEQUACY STUDY; TO AMEND THE PUBLIC SCHOOL

22

FUNDING ACT OF 2003 TO INCREASE THE AMOUNT OF PER

23

STUDENT FOUNDATION FUNDING AND CATEGORICAL

24

FUNDING; TO ENSURE THAT EVERY PUBLIC SCHOOL

25

DISTRICT IN THE STATE RECEIVES THE FULL AMOUNT OF

26

FOUNDATION FUNDING; AND FOR OTHER PURPOSES.

27

28

Subtitle

29

AN ACT TO AMEND THE PUBLIC SCHOOL

30

FUNDING ACT OF 2003 AND TO ENSURE THAT

31

EVERY PUBLIC SCHOOL DISTRICT IN THE

32

STATE RECEIVES THE FULL AMOUNT OF

33

FOUNDATION FUNDING.

34

35

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



1
2 SECTION 1. DO NOT CODIFY. ACT 57 COMPLIANCE.

3 The General Assembly declares this act to be in concordance with the
4 study of the state's system of public education conducted in 2006 by the
5 Adequacy Study Oversight Subcommittee, the House Interim Committee on
6 Education, and the Senate Interim Committee on Education in compliance with
7 Act 57 of the Second Extraordinary Session of 2003.

8
9 SECTION 2. Arkansas Code § 6-20-2303(11) through (22), concerning the
10 definitions relating to public school funding, are amended to read as
11 follows:

12 (11) "Miscellaneous funds" means the average of those funds
13 collected either in the average of the previous five (5) school years or in
14 the previous school year, whichever is less, and reported to the Department
15 of Education by April 15 of each school year, consisting of:

16 (A) ~~from funds~~ Funds received by a school district
17 from federal forest reserves, federal grazing rights, federal mineral rights,
18 federal impact aid, federal flood control, wildlife refuge funds, severance
19 taxes,; and

20 (B) ~~funds~~ Funds received by the school district in
21 lieu of taxes, and local sales and use taxes dedicated to education pursuant
22 to §§ 26-74-201 et seq., § 26-74-301 et seq., § 26-75-301 et seq., and the
23 Local Government Bond Act of 1985, § 14-164-301 et seq.;

24
25 (12)(A) "National school lunch students" means those students or
26 the percentage of enrolled students from low socioeconomic backgrounds as
27 indicated by eligibility for free or reduced-price meals under the National
28 School Lunch Act as determined on October 1 of each previous school year and
29 submitted to the department, unless the school district is identified by the
30 ~~department~~ department as participating in the special assistance certification
31 and reimbursement alternative implemented under 42 U.S.C. § 1759a, as
32 interpreted in 7 C.F.R. § 245.9.

33 (B) ~~(i)~~ If the school district is participating under 42
34 U.S.C. § 1759a, then for purposes of funding under § 6-20-2305(b), such a
35 school district's annual percentage of national school lunch students shall
36 be equal to the percentage submitted in the base year, which means the last

1 school year for which eligibility determinations were made and meal counts
2 were taken by type ~~except for the 2005-2006 school year as explicated in~~
3 ~~subdivision (12)(B)(ii) of this section.~~

4 ~~(ii) If a school district received funding for~~
5 ~~national school lunch students in the 2004-2005 school year as though one~~
6 ~~hundred percent (100%) of its students were eligible for free meals because~~
7 ~~of the school district's participation under 42 U.S.C. § 1759a, then that~~
8 ~~school district shall be funded for the 2005-2006 school year based upon the~~
9 ~~October 1, 2005, submission by a school district to the department if the~~
10 ~~school district has completed a new student eligibility determination and~~
11 ~~submitted that new eligibility determination to the department by October 1,~~
12 ~~2005;~~

13 (13) "Net revenues" means actual revenues received from ad
14 valorem taxes collected on behalf of a school district, multiplied by the
15 uniform rate of tax over the total millage rate of the school district.

16 ~~(13)(14)~~ (14) "Previous year" or "previous school year" means the
17 school year immediately preceding the school year or fiscal year in which
18 funds are allocated;

19 ~~(14)(A)(15)(A)~~ (15)(A) "Professional development" means a coordinated
20 set of planned learning activities for teachers and administrators that are
21 standards-based.

22 (B) Professional development shall result in individual,
23 schoolwide, and systemwide improvement designed to ensure that all students
24 demonstrate proficiency in the state academic standards;

25 (16) "Quarterly average daily membership" means the average
26 daily membership for one (1) quarter of a school year used for calculating
27 student growth funding and as determined by rule established by the
28 Department of Education;

29 (17) (A) "Revenues" means:

30 (i) The following items collected or received on
31 behalf of a school district:

32 (a) Current year ad valorem taxes; plus

33 (b) Delinquent ad valorem taxes; plus

34 (c) Homestead tax credit; plus

35 (d) Interest earned on any tax funds held in
36 trust; less

1 (ii) All costs and net commissions relating to the
2 collection of ad valorem taxes authorized by law that are collected or
3 withheld for later distribution by the county offices.

4 (B) On or before March 31 of each year, the Assessment
5 Coordination Department shall compile the revenues for each school district
6 for the calendar year preceding the end of the school fiscal year.

7 (C) The calculation of revenues shall be made in
8 accordance with rules established by the Assessment Coordination Department.

9 ~~(15)~~(18) "School district" means a geographic area with an
10 elected board of directors that qualifies as a taxing unit for purposes of ad
11 valorem property taxes under title 26 of the Arkansas Code, which board
12 conducts the daily affairs of public schools pursuant to the supervisory
13 authority vested in it by the General Assembly and title 6 of the Arkansas
14 Code;

15 ~~(16)~~(19) "Secondary vocational area center" means a public
16 secondary vocational institution organized for the specific purpose of
17 educating high school students in specific occupational or vocational areas
18 and serving students from more than one (1) participating school district;

19 ~~(17)~~(20) "Special education catastrophic occurrences" means
20 individual cases in which special education and related services required by
21 the individualized education program of a particular student with
22 disabilities are unduly expensive, extraordinary, or beyond the routine and
23 normal costs associated with special education and related services provided
24 by a school district and funding is pursuant to rules promulgated by the
25 state board;

26 ~~(18)~~(21) "State foundation funding aid" means the amount of
27 state financial aid provided to each school district and computed as the
28 difference between the foundation funding amount established by the General
29 Assembly and the sum of ninety-eight percent (98%) of the uniform rate of tax
30 multiplied by the property assessment of the school district plus ~~seventy-~~
31 ~~five percent (75%) of the~~ miscellaneous funds of the school district;

32 ~~(19)(A)~~(22) "Student growth funding" means the amount of state
33 financial aid provided to each school district from funds made available for
34 ~~that purpose~~ the growth in the average daily membership for the school
35 district.

36 ~~(B) For school years 2005-2006 and 2006-2007, student~~

~~growth funding is calculated as five thousand four hundred dollars (\$5,400) multiplied by the increase, if any, in the school district's two-quarter average of the average daily membership of the current school year over the local school district's two-quarter average of the average daily membership for the previous school year, excluding any increase resulting solely from consolidation or annexation with another school district;~~

~~(20)~~(23) "Teachers of the gifted and talented" means individuals certified by the state board to teach students identified as gifted and talented;

~~(21)~~(24) "Technology" means any equipment for instructional purposes that is electronic in nature, including, but not limited to, computer hardware, computer software, Internet connectivity, and distance learning; and

~~(22)~~(25) "Uniform rate of tax" means a uniform rate of ad valorem property tax of twenty-five (25) mills to be levied on the assessed value of all taxable real, personal, utility, and regulated carrier property in the state to be used solely for the maintenance and operation of the public schools as required by Arkansas Constitution, Article 14, § 3, as amended by Arkansas Constitution, Amendments 11, 40, and 74.

SECTION 3. Arkansas Code § 6-20-2305(a) through (b)(4)(A), concerning foundation funding and categorical funding, are amended to read as follows:

(a)~~(1)~~(A) For each school year, each school district shall receive state foundation funding aid computed as the difference between the foundation funding amount pursuant to subdivision (a)(2) of this section and the sum of ninety-eight percent (98%) of the uniform rate of tax multiplied by the property assessment of the school district plus ~~seventy-five percent (75%)~~ of the miscellaneous funds of the school district.

(B) The Department of Education shall distribute state foundation funding aid to each school district in eleven (11) equal monthly payments.

~~(2)(A) For the 2005-2006 school year, the foundation funding amount is equal to five thousand four hundred eighty-six dollars (\$5,486) multiplied by the district's average daily membership for the previous school year.~~

~~(B)~~(2)(A) For the ~~2006-2007~~ 2007-2008 school year, the

1 foundation funding amount is equal to ~~five thousand six hundred twenty~~
2 ~~dollars (\$5,620)~~ five thousand seven hundred nineteen dollars (\$5,719)
3 multiplied by the school district's average daily membership for the previous
4 school year.

5 (B) For the 2008-2009 school year, the foundation funding
6 amount is equal to five thousand seven hundred eighty-nine dollars (\$5,789)
7 multiplied by the school district's average daily membership for the previous
8 school year.

9 ~~(C) For the 2005-2006 school year and the 2006-2007 school~~
10 ~~year, the foundation funding amount provided under subdivisions (a)(2)(A) and~~
11 ~~(B) of this section shall be increased by forty two dollars (\$42.00)~~
12 ~~multiplied by the district's average daily membership for the previous school~~
13 ~~year to pay for increased school district costs resulting from the 2005-2006~~
14 ~~and 2006-2007 increases in the employer's rate of contribution to the~~
15 ~~Arkansas Teacher Retirement System from thirteen percent (13%) to fourteen~~
16 ~~percent (14%).~~

17 (3)(A) ~~During the 2006-2007, school year, a~~ A school district
18 ~~with an~~ that has experienced a decline in average daily membership over the
19 two (2) immediately preceding school years that is less than the school
20 district's previous year's average daily membership shall receive:

21 (i) Declining enrollment funding equal to the
22 difference between the average of the two (2) immediately preceding years'
23 average daily memberships and the average daily membership for the previous
24 school year multiplied by ~~five thousand six hundred twenty dollars (\$5,620)~~
25 the amount of foundation funding set forth in subdivision (a)(2) of this
26 section; or

27 (ii) Special needs isolated funding under § 6-20-
28 604.

29 (B) Any funding appropriated and available for declining
30 enrollment funding under subdivision (a)(3)(A)(i) of this section or special
31 needs isolated funding under § 6-20-604 that is not distributed under
32 subdivision (a)(3)(A) of this section shall be prorated and distributed
33 equally per average lost student to school districts that meet the
34 qualifications for both declining enrollment funding under subsection
35 (a)(3)(A)(i) of this section and special needs isolated funding under § 6-20-
36 604.

1 (C) No school district shall receive both declining
2 enrollment funding under subdivision (a)(3)(A)(i) of this section and student
3 growth funding under § 6-20-2305(c).

4 (4)(A) By the end of each school fiscal year, for a school
5 district whose net revenues are less than the sum of ninety-eight percent
6 (98%) of the uniform rate of tax multiplied by the property assessment of the
7 school district, the department shall distribute to the school district the
8 difference between:

9 (i) The net revenues of the school district; and

10 (ii) The sum of ninety-eight percent (98%) of the
11 uniform rate of tax multiplied by the property assessment of the school
12 district.

13 (B) For a school district whose net revenues are more than the
14 sum of ninety-eight percent (98%) of the uniform rate of tax multiplied by
15 the property assessment of the school district, the department, under the
16 authority of § 6-20-2306, shall recoup from the school district an amount
17 equal to the difference between:

18 (i) The net revenues of the school district; and

19 (ii) The sum of ninety-eight percent (98%) of the
20 uniform rate of tax multiplied by the property assessment of the school
21 district.

22 (b)(1) In addition to state foundation funding aid, each school
23 district shall receive funding for additional education categories as
24 provided in ~~subdivisions (b)(2)-(6) of this section~~ subsection (b).

25 (2)(A)(i) ~~For school years 2005-2006 and 2006-2007~~ Beginning
26 with the 2007-2008 school year, alternative learning environment funding and
27 secondary vocational area center funding shall be three thousand two hundred
28 fifty dollars (\$3,250) four thousand sixty-three dollars (\$4,063) multiplied
29 by+

30 ~~(i) The~~ the number of identified alternative
31 learning environment students enrolled during the previous school year; ~~and~~

32 ~~(ii) The number of students enrolled in a secondary~~
33 ~~vocational area center during the previous school year.~~

34 ~~(B)(ii)~~ Funding for students in alternative learning
35 environments shall be distributed based on rules promulgated by the State
36 Board of Education.

1 ~~(C)(B)(i)~~ Beginning with the 2007-2008 school year,
2 secondary vocational area center funding shall be three thousand two hundred
3 fifty dollars (\$3,250) multiplied by the number of students enrolled in a
4 secondary vocational area center during the previous school year.

5 (ii) Funding for students in secondary vocational
6 area centers shall be distributed based on rules promulgated by the State
7 Board of Workforce Education and Career Opportunities.

8 (3)(A) ~~For school years 2005-2006 and 2006-2007, the English-~~
9 ~~language learners funding~~ Beginning with the 2007-2008 school year, funding
10 for students who are identified as English-language learners shall be one
11 hundred ninety five dollars (\$195) two hundred ninety-three dollars (\$293)
12 for each identified English-language learner.

13 (B) Funding for ~~English-language learner students~~ English-
14 language learners shall be distributed to school districts for students who
15 have been identified as not proficient in the English language based upon a
16 state-approved English proficiency assessment instrument.

17 (C) Funds allocated for English-language learners to
18 school districts under this subchapter shall be expended only for eligible
19 activities as identified in current rules promulgated by the State Board of
20 Education and are a supplement to funding for national school lunch students
21 provided in subdivision (b)(4) of this section.

22 (4)(A) ~~For school years 2005-2006 and 2006-2007~~ Beginning with
23 the 2007-2008 school year, national school lunch student funding for each
24 identified national school lunch student shall be as follows:

25 (i) For a school ~~districts~~ district in which ninety
26 percent (90%) or greater of the previous school year's enrolled students are
27 national school lunch students, funding shall be ~~one thousand four hundred~~
28 ~~forty dollars (\$1,440)~~ one thousand four hundred eighty-eight dollars
29 (\$1,488);

30 (ii) For school districts in which at least seventy
31 percent (70%) but less than ninety percent (90%) of the previous school
32 year's enrolled students are national school lunch students, funding shall be
33 ~~nine hundred sixty dollars (\$960)~~ nine hundred ninety-two dollars (\$992);
34 and

35 (iii) For school districts in which less than
36 seventy percent (70%) of the previous school year's enrolled students are

1 national school lunch students, funding shall be ~~four hundred eighty dollars~~
2 ~~(\$480)~~ four hundred ninety-six dollars (\$496).

3
4 SECTION 4. Arkansas Code § 6-20-2305(b)(5), concerning categorical
5 funding for professional development, is amended to read as follows:

6 (5)(A) Beginning with school year 2007-2008, Professional
7 professional development funding ~~for school years 2005-2006 and 2006-2007~~
8 shall be equal to an amount of up to fifty dollars (\$50.00) multiplied by the
9 school district's previous school year average daily membership.

10 (B) Funding for professional development for teachers in
11 Arkansas public schools shall be used for professional development ~~training~~
12 ~~conferences, materials, and other professional development activities~~ and
13 materials that improve the knowledge of teachers, administrators, and
14 paraprofessionals concerning effective instructional strategies, methods, and
15 skills for improving teaching practices and student academic achievement and
16 training for school bus drivers as outlined in rules promulgated by the State
17 Board of Education.

18
19 SECTION 5. Arkansas Code Title 6, Chapter 20, Subchapter 23 is amended
20 to add an additional section to read as follows:

21 6-20-2307. Property tax report.

22 In order to provide relevant information to the General Assembly
23 impacting the funding of public education, upon approval of the Legislative
24 Joint Auditing Committee, the Division of Legislative Audit shall prepare a
25 report regarding the assessment and collection of property taxes.

26
27 SECTION 6. Arkansas Code § 6-20-2305(c), concerning isolated funding,
28 student growth funding, and special education-catastrophic occurrences
29 funding, is amended to read as follows:

30 (c) Isolated funding under § 6-20-601, student growth funding, and
31 special education-catastrophic occurrences funding shall be funded as
32 follows:

33 (1) Isolated funding and special education-catastrophic
34 occurrences funding shall be allocated and funded to school districts in a
35 line item appropriation within the Public School Fund pursuant to law or
36 rules promulgated by the State Board of Education; and

1 (2)(A) Student growth funding is calculated as the sum of the
2 following amounts:

3 (i) One quarter (1/4) of the per student foundation
4 funding for the school district under § 6-20-2305(a)(2) multiplied by the
5 increase, if any, of each of the following:

6 (a) The school district's quarterly average
7 daily membership for the first quarter of the current school year over
8 average daily membership of the previous school year;

9 (b) The school district's quarterly average
10 daily membership for the second quarter of the current year over the average
11 daily membership of the previous school year;

12 (c) The school district's quarterly average
13 daily membership for the third quarter of the current school year over the
14 average daily membership of the previous school year; and

15 (d) The school district's quarterly average
16 daily membership for the fourth quarter of the current school year over the
17 average daily membership of the previous school year; and

18 (ii) ~~excluding~~ Excluding any increase resulting
19 solely from consolidation or annexation with another school district.

20 (B)(i) The State Board of Education shall establish by
21 rule the timing of distributions of student growth funding and the mechanism
22 for determining the quarterly average daily membership to be used in
23 calculating student growth funding under this subsection (c).

24 (ii)(a) As the fourth quarter average daily membership
25 count will not be available until the following school fiscal year, the final
26 distribution for each school year shall include one half (1/2) of the per
27 student foundation funding for the school district under § 6-20-2305(a)(2)
28 multiplied by the increase, if any, of the school district's quarterly
29 average daily membership for the third quarter of the current school year
30 over the average daily membership of the previous school year.

31 (b) As a result of calculating the
32 distribution in subdivision (c)(B)(ii)(a) of this section, either an
33 adjustment shall be made in the initial distribution of growth funding for
34 the district in the following school year to be based on the actual fourth
35 quarter growth determined in subdivision (c)(2)(A)(i)(d) or the school
36 district shall refund the overpayment in growth funding.

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SECTION 7. Arkansas Code § 6-17-2403(b) and (c), concerning the minimum teacher compensation schedule, is amended to read as follows:

~~(b)(1) In school year 2004-2005, each school district in the state shall have in place a salary schedule with at least the following minimum levels of compensation for a basic contract:~~

Years of Experience	BA Degree Salary	MA Degree Salary
0	\$27,500	\$31,625
1	27,950	32,125
2	28,400	32,625
3	28,850	33,125
4	29,300	33,625
5	29,750	34,125
6	30,200	34,625
7	30,650	35,125
8	31,100	35,625
9	31,550	36,125
10	32,000	36,625
11	32,450	37,125
12	32,900	37,625
13	33,350	38,125
14	33,800	38,625
15	34,250	39,125

~~(2) In school year 2005-2006, each school district in the state shall have in place a salary schedule with at least the following minimum levels of compensation for a basic contract:~~

Years of Experience	BA Degree Salary	MA Degree Salary
0	\$27,940	\$32,131
1	28,390	32,631
2	28,840	33,131
3	29,290	33,631
4	29,740	34,131

1	5	30,190	34,631
2	6	30,640	35,131
3	7	31,090	35,631
4	8	31,540	36,131
5	9	31,990	36,631
6	10	32,440	37,131
7	11	32,890	37,631
8	12	33,340	38,131
9	13	33,790	38,631
10	14	34,240	39,131
11	15	34,690	39,631

12

13 ~~(c) In school year 2006-2007 and each school year thereafter, each~~
 14 ~~school district in the state shall have in place a salary schedule with at~~
 15 ~~least the following minimum levels of compensation for a basic contract:~~

16

17	Years of Experience	BA Degree Salary	MA Degree Salary
18	0	\$28,611	\$32,902
19	1	29,061	33,402
20	2	29,511	33,902
21	3	29,961	34,402
22	4	30,411	34,902
23	5	30,861	35,402
24	6	31,311	35,902
25	7	31,761	36,402
26	8	32,211	36,902
27	9	32,661	37,402
28	10	33,111	37,902
29	11	33,561	38,402
30	12	34,011	38,902
31	13	34,461	39,402
32	14	34,911	39,902
33	15	35,361	40,402

34

35 (b) In school year 2007-2008, each school district in the state shall
 36 have in place a salary schedule with at least the following minimum levels of

1 compensation for a basic contract:

2

3	<u>Years of Experience</u>	<u>BA Degree Salary</u>	<u>MA Degree Salary</u>
4	0	\$28,897	\$33,231
5	1	29,347	33,731
6	2	29,797	34,231
7	3	30,247	34,731
8	4	30,697	35,231
9	5	31,147	35,731
10	6	31,597	36,231
11	7	32,047	36,731
12	8	32,497	37,231
13	9	32,947	37,731
14	10	33,397	38,231
15	11	33,847	38,731
16	12	34,297	39,231
17	13	34,747	39,731
18	14	35,197	40,231
19	15	35,647	40,731

20

21 (c) In school year ~~2006-2007~~ 2008-2009 and each school year
 22 thereafter, each school district in the state shall have in place a salary
 23 schedule with at least the following minimum levels of compensation for a
 24 basic contract:

25

26	<u>Years of Experience</u>	<u>BA Degree Salary</u>	<u>MA Degree Salary</u>
27	0	\$29,244	\$33,630
28	1	29,694	34,130
29	2	30,144	34,630
30	3	30,594	35,130
31	4	31,044	35,630
32	5	31,494	36,130
33	6	31,944	36,630
34	7	32,394	37,130
35	8	32,844	37,630
36	9	33,294	38,130

1	<u>10</u>	<u>33,744</u>	<u>38,630</u>
2	<u>11</u>	<u>34,194</u>	<u>39,130</u>
3	<u>12</u>	<u>34,644</u>	<u>39,630</u>
4	<u>13</u>	<u>35,094</u>	<u>40,130</u>
5	<u>14</u>	<u>35,544</u>	<u>40,630</u>
6	<u>15</u>	<u>35,994</u>	<u>41,130</u>

7
8 SECTION 8. NOT TO BE CODIFIED. The amendment to the minimum teacher
9 compensation schedule contained in Section 5 of this act reflects the overall
10 increase in foundation funding. This amendment is a significant step in
11 closing the teacher salary gap. The increased minimum teacher compensation
12 schedule helps in recruiting and retaining teachers in Arkansas. Most
13 importantly, it makes Arkansas more competitive for quality teachers when
14 compared to surrounding states and Southern Regional Education Board member
15 states.

16
17 SECTION 9. NOT TO BE CODIFIED. The document attached hereto titled
18 "Education Funding Recommendations for the 2007-2009 Biennium", contains the
19 Education Funding Recommendations of the Adequacy Study Oversight
20 Subcommittee, the House Interim Committee on Education, and the Senate
21 Interim Committee on Education. Since January 22, 2007, when those
22 recommendations were adopted by the House Education Committee and the Senate
23 Education Committee, some calculation errors were identified and
24 recalculations were made. The recalculations are also contained in this
25 document in narrative form. This document and its final recommendations are
26 specifically adopted by the House Education Committee and the Senate
27 Education Committee and recommended to the General Assembly. The document,
28 "Education Funding Recommendations for the 2007-2009 Biennium", shall be
29 filed in the journals of the House and Senate.

30
31 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the
32 General Assembly of the State of Arkansas that the 2006 Act 57 study
33 recommended that foundation funding and categorical funding be increased for
34 the 2007-2008 and 2008-2009 school years; that the method of calculating the
35 state foundation funding aid should be changed to ensure that all public
36 school districts receive the full amount of foundation funding; and that this

1 act is immediately necessary to ensure that public school districts receive
2 adequate foundation funding for the 2007-2008 school year. Therefore, an
3 emergency is declared to exist and this act being immediately necessary for
4 the preservation of the public peace, health, and safety shall become
5 effective on July 1, 2007.

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/s/ Kenney