

~~ARKANSAS DEPARTMENT OF EDUCATION~~
DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
RULES GOVERNING COLLEGE AND CAREER
READINESS PLANNING PROGRAMS
~~November 2015~~ _____

RECEIVED

JUN 15 2020

BUREAU OF
LEGISLATIVE RESEARCH**1.00 REGULATORY AUTHORITY**

- 1.01 These regulations are enacted pursuant to the authority contained in Ark. Code Ann. §§ ~~6-11-105, 6-15-441, 6-16-601~~ *et seq.*, ~~6-15-2901~~ *et seq.*, ~~25-15-201~~ *et seq.*, and Act 1083 of 2019 Acts ~~989 and 1216~~ of 2015.

2.00 PURPOSE

- 2.01 The purpose of these rules is to establish guidelines for the implementation of:
- 2.01.1 the Arkansas College and Career Readiness Planning Program; and
- 2.01.2 Postsecondary preparatory programs in Arkansas.

3.00 DEFINITIONS

For purposes of these rules, each term below shall be defined as follows:

- 3.01 “ACT” means the American College Test.
- 3.02 “College and career readiness assessment” means ~~a test that measures student readiness for postsecondary learning and is administered pursuant to these rules or is used by institutions of higher education as part of their admissions, placement, and scholarship processes. a set of criterion-referenced measurements of a student’s acquisition of the knowledge and skills that the student needs to be successful in future endeavors, including successfully completing credit-bearing, first-year courses at a postsecondary institution and embarking on a chosen career.~~
- 3.02.1 “College and career readiness assessment” includes any assessment approved by the State Board of Education.
- 3.03 “College and career readiness benchmark” means the minimum score on a college and career readiness assessment in mathematics, English, or reading indicating that a student has a high probability of success in entry level postsecondary education.
- 3.03.1 College and career readiness benchmarks shall be determined jointly by the Arkansas Higher Education Coordinating Board and the State Board of Education.

- 3.04 ~~“Department” means the Arkansas Department of Education.~~
- 3.054 “Designated College Readiness Course” means a regular instructional course taken during a student’s senior year of high school that is designated by:
- 3.054.1 Local school officials to assist in the improvement of a student’s placement test scores for mathematics, English language arts, or reading; or
- 3.054.2 ~~The Department of Education~~ Division of Elementary and Secondary Education and the ~~Department~~ Division of Higher Education as an appropriate course for college readiness.
- 3.05 “Division” means the Division of Elementary and Secondary Education.
- 3.06 “Eligible student” means a public school student in Arkansas who:
- 3.06.1 Is enrolled in grade eight (8) or enrolled in grades ten through twelve (10-12);
- 3.06.2 Is identified through a college and career readiness assessment as scoring below a college and career readiness benchmark in mathematics, English, or reading;
- 3.06.3 Receives the counseling required under Section 4.05 of these rules; and
- 3.06.4 Desires to enroll in postsecondary education.
- 3.07 “Placement test” means a test for entrance to postsecondary education that is either approved by the State Board of Education, or designated by the ~~Department~~ Division of Higher Education.
- 3.07.1 For the purpose of these rules, “Placement test” includes without limitation the ACT.
- 3.08 “Postsecondary preparatory program” means an intensive program approved under these rules that is focused on preparing students for entry-level postsecondary work in the areas of mathematics, English, and reading based on identified needs for college enrollment and placement.

4.00 COLLEGE AND CAREER READINESS PLANNING PROGRAM – IMPLEMENTATION

- 4.01 Each public school that serves students in grade eight (8) shall administer a college and career readiness assessment approved by the State Board of Education to each student enrolled in grade eight (8) at the public school.

- 4.02 Each public school that serves students in grades ten through twelve (10-12) shall administer a college and career readiness assessment approved by the State Board of Education to each student before the student graduates from high school.
- 4.03 Funding for the college and career readiness assessments listed in Sections 4.01 and 4.02 of these rules may be provided by the ~~Department~~ Division using at-risk funding or other funds appropriated and authorized for this purpose.
- 4.04 Each public school district shall use the college and career readiness assessments:
- 4.04.1 To assist students with college and workforce readiness skills, course selection in high school, and improved academic achievement;
- 4.04.2 To identify students who do not meet the college and career readiness benchmarks in mathematics, English, or reading; and
- 4.04.3 To provide the basis for the counseling concerning postsecondary preparatory programs as required by Section 4.05 of these rules and Ark. Code Ann. § 6-16-603.
- 4.05 Each public school district shall ensure that every student identified under Section 4.04.2 is counseled by a public school counselor and strongly encouraged to enroll in a postsecondary preparatory program approved under these rules.
- 4.06 The public school district shall make every reasonable effort to involve parents or guardians in student counseling and placement of students.
- 4.07 Each public school shall fully incorporate the results from the college and career readiness assessments into the college and career planning process for each student. The ~~Department~~ Division shall monitor the utilization of these assessments to ensure public school compliance.

5.00 POSTSECONDARY PREPARATORY PROGRAMS – APPROVAL

- 5.01 No later than May 1 of each year, any of the listed entities may submit to the ~~Department~~ Division an application for authorization to operate a postsecondary preparatory program in Arkansas:
- 5.01.1 One or more school districts;
- 5.01.2 One or more institutions of higher education; or

- 5.01.3 A partnership of one or more school districts and one or more institutions of higher education.
- 5.02 An application for authorization shall include:
 - 5.02.1 A list of the participating school district(s) or institution(s) of higher education;
 - 5.02.2 The number and location of sites at which postsecondary preparatory programs will be offered;
 - 5.02.3 A program description, including identification of the curriculum, content guides, and instructional materials to be utilized;
 - 5.02.4 Staffing and instructor qualifications;
 - 5.02.5 Program schedules;
 - 5.02.6 Guidelines for admission to the postsecondary program, including program eligibility requirements and selection criteria;
 - 5.02.6.1 Admission guidelines should address whether and how the program will admit students in grade twelve (12) under Section 6.03 of these rules;
 - 5.02.7 Disciplinary policies which will govern participants; and
 - 5.02.8 Attendance requirements for participants.
- 5.03 The ~~Department~~ Division may approve an application for authorization after:
 - 5.03.1 Determining that the application meets the criteria established by these rules and Ark. Code Ann. § 6-16-601 *et seq.*;
 - 5.03.2 Reviewing evidence of the postsecondary preparatory program's past performance and success, as reported under Section 9.0;
 - 5.03.3 Reviewing the postsecondary preparatory program's past compliance with these rules with Ark. Code Ann. § 6-16-601 *et seq.*, and with other relevant state or federal law; and
 - 5.03.4 Giving priority for approval to postsecondary preparatory programs operated by partnerships between one or more school districts and one or more institutions of higher education.
- 5.04 Authorization of an approved postsecondary preparatory program may be for a term defined by the ~~Department~~ Division of no more than one (1) year.

- 5.05 A postsecondary preparatory program shall not receive authorization under these rules unless the postsecondary preparatory program files an annual application with the ~~Department~~ Division and the application is approved.
- 5.06 Content guides utilized by a postsecondary preparatory program must be approved by the ~~Department~~ Division and must:
- 5.06.1 Include the curricular goals in each content area; and
- 5.06.2 State clearly how the program goals will be met.
- 5.06.3 Postsecondary preparatory programs may utilize content guides developed by outside parties with the ~~Department's~~ Division's approval.

6.00 POSTSECONDARY PREPARATORY PROGRAMS – ENROLLMENT

- 6.01 An eligible student may enroll in and attend a postsecondary preparatory program at any time between:
- 6.01.1 The first day of school after July 1 of the year in which the student first enters grade eight (8); and
- 6.01.2 The first day of school after July 1 of the year in which the student first enters grade twelve (12).
- 6.02 An eligible student shall receive priority for enrollment in a postsecondary preparatory program if the eligible student qualifies for free and reduced price meals under the National School Lunch Act, 42 U.S.C. § 1751 *et seq.*, as verified by a signed Free and Reduced Price School Meals Family Application on file with the entity administering the postsecondary preparatory program or by issuance of an Alternate Income Form for special provision schools (e.g., Community Eligibility or Provision 2).
- 6.02.1 If the postsecondary preparatory program is administered by an entity other than the student's home district, the program shall furnish a Free and Reduced Price School Meals Family Application to the student solely for the purpose of determining eligibility under this section.
- 6.02.2 No public school district, public school, or charter school may disclose any student's eligibility for free and reduced price meals to any other entity, including a public school district or institution of higher education administering a postsecondary preparatory program.

6.02.3 A postsecondary preparatory program may disclose a student's eligibility for free and reduced price meals to the ~~Department~~ Division.

6.03 Notwithstanding the requirements of Section 6.01, if space and funding are available after all eligible students who applied to attend a postsecondary preparatory program are enrolled, the ~~Department~~ Division may permit a postsecondary preparatory program to enroll a student in grade twelve (12) or a high school graduate if the student or graduate:

6.03.1 Scores below college and career readiness benchmarks on a college and career readiness assessment or placement test; and

6.03.2 Will enroll in the postsecondary preparatory program no later than three (3) months after graduating from an Arkansas high school.

6.04 An eligible student, or a student enrolled under Section 6.03, may enroll in one (1) or more of the curriculum areas in which the student has scored below the college and career readiness benchmark as identified by college and career readiness assessments.

7.00 POSTSECONDARY PREPARATORY PROGRAMS – OPERATION

7.01 A postsecondary preparatory program approved under these rules shall:

7.01.1 Provide advice that will better prepare eligible students for entry-level postsecondary work in the areas of mathematics, English, and reading;

7.01.2 Improve diagnostic efforts, counseling, placement, and instruction for eligible students;

7.01.3 Provide intensive remedial instruction to eligible students enrolled in the postsecondary preparatory program in one (1) or more of the following curriculum areas:

7.01.3.1 Mathematics;

7.01.3.2 English; and

7.01.3.3 Reading;

7.01.4 Effectively use college and career readiness assessments to monitor the progress of participants in the postsecondary preparatory program; and

- 7.01.5 Use innovative teaching and learning strategies that are designed to be effective with participants in the postsecondary preparatory program.
- 7.02 Remedial instruction provided by an approved postsecondary preparatory program shall:
- 7.02.1 Consist of a minimum of twenty-five (25) hours or more of instruction for each curriculum area offered;
- 7.02.2 Conform to content guides as approved by the ~~Department~~ Division of Education, in consultation with the ~~Department~~ Division of Higher Education;
- 7.02.3 Conform to individualized plans developed for each student;
- 7.02.4 Be offered in classes containing no less than ten (10) students and no more than fifteen (15) students; and
- 7.02.5 Be offered on one or more days from Monday through Saturday, during any hours that participants are not required to attend public school.
- 7.03 A postsecondary preparatory program approved under these rules shall use instructors with appropriate content knowledge and specialized training developed by the ~~Department~~ Division for instructors of developmental education.
- 7.03.1 A postsecondary preparatory program may use an instructor who does not hold an Arkansas teaching license only if the non-licensed instructor works together with an instructor who holds a current Arkansas teaching license.
- 7.03.2 Instructors must hold one (1) of the following:
- 7.03.2.1 A current Arkansas secondary teaching license in the field to be taught;
- 7.03.2.2 A bachelor's degree with an undergraduate major in the field to be taught; or
- 7.03.2.3 A graduate degree in the field to be taught.
- 7.03.3 Instructors who will assist students with diagnosed reading problems must hold or be eligible to hold a current Arkansas teaching license with the Reading Specialist or Reading endorsement.

7.03.4 Instructors shall attend scheduled in-service training administered by the ~~Department~~ Division.

7.04 An Arkansas public high school shall award one (1) unit of credit as an elective for successfully completing a postsecondary preparatory program under these rules.

7.04.1 The unit of credit awarded under this section shall not count toward the minimum number of credits required by law for high school graduation.

8.00 POSTSECONDARY PREPARATORY PROGRAMS – FUNDING

8.01 The ~~Department~~ Division may provide funding for approved postsecondary preparatory programs from at-risk funding or other funds appropriated and authorized for this purpose.

8.01.1 The ~~Department~~ Division shall give priority for funding to postsecondary preparatory programs operated by partnerships between one or more school districts and one or more institutions of higher education.

8.01.2 Funding provided by the ~~Department~~ Division may be used by a postsecondary preparatory program only for those costs directly related to the proper administration of the program, including without limitation administrative costs, stipends, instructional materials, and site operational costs.

8.01.3 Funding provided by the ~~Department~~ Division may not be used to purchase tangible personal property if the property has:

8.01.3.1 A useful life of more than one (1) year; and

8.10.3.2 An acquisition cost of \$300 or more per unit.

8.01.4 Any balance of funds provided by the ~~Department~~ Division and remaining at the conclusion of the program term shall be returned to the ~~Department~~ Division.

8.02 The opportunity to participate in a postsecondary preparatory program under these rules shall not be interpreted as mandating the ~~Department~~ Division to fund postsecondary preparatory programs at a cost in excess of the funds appropriated and authorized in the Public School Fund for this purpose.

8.03 An Arkansas public school district may use ~~National School Lunch student categorical funding~~ Enhanced Student Achievement Funding received under Ark. Code Ann. § 6-20-2305 to operate or support an

approved postsecondary preparatory program, subject to the planning and reporting requirements of the ~~Department's Rules Governing the Monitoring of Arkansas Comprehensive School Improvement Plans (ACSIP) Division's Rules Governing the Arkansas Educational Support and Accountability Act (AESAA)~~.

- 8.04 A postsecondary preparatory program shall not receive funding from the ~~Department~~ Division unless the postsecondary preparatory program files an annual application with the ~~Department~~ Division and the application is approved.

9.00 POSTSECONDARY PREPARATORY PROGRAMS – EVALUATION

- 9.01 A postsecondary preparatory program approved under these rules shall document evidence of its performance and the success of its participants.
- 9.02 Within ninety (90) days of the end of the approval term specified under Section 5.04 of these rules, each approved postsecondary preparatory program shall submit the following data in a form and manner approved by the ~~Department~~ Division:
- 9.02.1 The total number of participants and the number of participants in each grade level;
- 9.02.2 The number of participants who were eligible for free and reduced-price meals under the National School Lunch Act;
- 9.02.3 The total number of participants in each curriculum area identified in Section 7.01.3;
- 9.02.4 The progress of participants monitored in the postsecondary preparatory program through the use of college and career readiness assessments;
- 9.02.5 The number of participants who enrolled in the postsecondary preparatory programs and:
- 9.02.5.1 Scored lower than the statewide minimum scores established by the Arkansas Higher Education Coordinating Board for college placement; or
- 9.02.5.2 Scored at or higher than the statewide minimum scores established by the Arkansas Higher Education Coordinating Board for college placement;
- 9.02.6 Student-specific data for each individual participant, including:

- 9.02.6.1 Name, gender, grade level, identification number, and other identification data specified by the ~~Department~~ Division;
 - 9.02.6.2 Free and reduced lunch status;
 - 9.02.6.3 Curriculum area(s) in which the student enrolled; and
 - 9.02.6.4 Placement test scores;
 - 9.02.7 Daily attendance;
 - 9.02.8 The final percentage of participants meeting the attendance requirements contained in the program's application;
 - 9.02.9 An itemization of the source and amount of all funds expended to support the approved postsecondary preparatory program; and
 - 9.02.10 An itemization of the source, payee, amount, and purpose of all expenditures made from funds provided by the ~~Department~~ Division or by any Arkansas public school district.
- 9.03 ~~The Department of Education~~ Division of Elementary and Secondary Education, in collaboration with the ~~Department~~ Division of Higher Education, shall collect and analyze the data reported by approved postsecondary preparatory programs under Section 9.02.
- 9.03.1 The ~~Department~~ Division shall store all student data in the Arkansas Public School Computer Network.
 - 9.03.2 The ~~Department~~ Division shall present its data analysis in the annual school performance reports required by Ark. Code Ann. § 6-15-1402.
- 9.04 The ~~Department~~ Division shall annually release to the General Assembly the following data by the ~~Department~~ Division:
- 9.04.1 The number and type of postsecondary preparatory programs approved;
 - 9.04.2 For each approved postsecondary preparatory program, the public school district(s) and/or institution(s) of higher education operating the postsecondary preparatory programs approved;
 - 9.04.3 The amount of funding the ~~Department~~ Division distributed to each postsecondary preparatory program; and

9.04.4 The data collected from each approved postsecondary preparatory programs under Section 9.02, after removing any personally identifiable student information as required by the Family Educational Rights and Privacy Act of 1974.

9.05 Data collection shall be maintained by the ~~Department~~ Division for the purpose of:

9.05.1 Increasing college and career readiness skills;

9.05.2 Improving instruction;

9.05.3 Enhancing school improvement plans;

9.05.4 Reducing the college remediation rates of students; and

9.05.5 Developing and implementing postsecondary preparatory programs under these rules.

9.06 The ~~Department~~ Division shall report to the House Committee on Education and the Senate Committee on Education no later than December 31 of each year on the:

9.06.1 Implementation and effectiveness of the Arkansas College and Career Readiness Planning Program; and

9.06.2 Statistical analysis of postsecondary preparatory programs under these rules.

9.06.3 The report may be posted on the ~~Department's~~ Division's website with a notification to the Committees.

10.00 PLACEMENT TESTS

10.01 An Arkansas public school student enrolled in grade eight (8) or grade ten (10) may take a placement test at no cost to the student at a date, time, and location set by the State Board of Education.

10.01.1 Each public school district shall use the placement test scores to identify every student who scores below the statewide minimum scores established by the Arkansas Higher Education Coordinating Board for mathematics, English, or reading.

10.01.2 Each public school district shall ensure that every student identified pursuant to Section 10.01.1 is counseled by a public school counselor and strongly encouraged to enroll in a Designated College Readiness Course.

- 10.02 Each public school district shall ensure that every Arkansas public school student enrolled in grade eleven (11) is advised by a public school counselor of the opportunity under Section 10.03 to take a placement test during grade twelve (12) at no cost to the student.
- 10.03 An Arkansas public school student enrolled in grade twelve (12) may take a placement test at no cost to the student at a date, time, and location set by the State Board of Education if:
- 10.03.1 The student successfully completes a postsecondary preparatory program; and
 - 10.03.2 The student is enrolled in a Designated College Readiness Course.
- 10.04 At the request of a student, the student's placement test score will be made available to and will be accepted by and recognized toward meeting enrollment requirements of state-supported colleges, universities, and postsecondary vocational schools in Arkansas.
- 10.05 Availability of placement tests under Sections 10.01 and 10.03 shall be dependent on the availability of funds appropriated and authorized for that purpose.

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 605

5 By: Senator A. Clark
6

For An Act To Be Entitled

8 AN ACT CONCERNING NATIONAL SCHOOL LUNCH STATE
9 CATEGORICAL FUNDING; TO AMEND THE NAME OF NATIONAL
10 SCHOOL LUNCH STATE CATEGORICAL FUNDING; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

15 TO AMEND THE NAME OF NATIONAL SCHOOL
16 LUNCH STATE CATEGORICAL FUNDING.
17
18

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

21 SECTION 1. Arkansas Code § 6-15-2701(b) and (c), concerning the
22 closing the achievement gap program, are amended to read as follows:

23 (b)(1) A school district that has a chronically underperforming school
24 shall use its ~~national school lunch state categorical funding~~ Enhanced
25 Student Achievement Funding under § 6-20-2305(b)(4) to evaluate the impact of
26 educational strategies used by the chronically underperforming school to
27 address the achievement gaps among students in the chronically
28 underperforming school.

29 (2) The evaluation shall:

30 (A) Identify the categories of programs and intervention
31 strategies used with ~~national school lunch state categorical funding~~ Enhanced
32 Student Achievement Funding; and

33 (B) Report the benchmark assessment scores for the end of
34 the immediately preceding school year and for the end of the current school
35 year of students involved in the programs and intervention strategies
36 identified under this subdivision (b)(2).



1 and career readiness assessments for students in grades ten through twelve
 2 (10-12) at no cost to the student by using public school district funding,
 3 including without limitation ~~national school lunch state categorical funding~~
 4 Enhanced Student Achievement Funding under § 6-20-2305.

5
 6 SECTION 3. Arkansas Code § 6-20-2305(b)(4)(A) and (B), concerning the
 7 calculation of national school lunch state categorical funding, are amended
 8 to read as follows:

9 (4)(A) ~~National school lunch state categorical funding~~ Enhanced
 10 Student Achievement Funding for each identified national school lunch student
 11 shall be as follows:

12 (i) For a public school district in which ninety
 13 percent (90%) or greater of the previous school year's enrolled students are
 14 national school lunch students, the amount of per-student ~~national school~~
 15 ~~lunch state categorical funding~~ Enhanced Student Achievement Funding is for
 16 each school year, one thousand five hundred seventy-six dollars (\$1,576);

17 (ii) For a public school district in which at least
 18 seventy percent (70%) but less than ninety percent (90%) of the previous
 19 school year's enrolled students are national school lunch students, the
 20 amount of per-student ~~national school lunch state categorical funding~~
 21 Enhanced Student Achievement Funding is for each school year, one thousand
 22 fifty-one dollars (\$1,051); and

23 (iii) For a public school district in which less
 24 than seventy percent (70%) of the previous school year's enrolled students
 25 are national school lunch students, the amount of per-student ~~national school~~
 26 ~~lunch state categorical funding~~ Enhanced Student Achievement Funding is for
 27 each school year, five hundred twenty-six dollars (\$526).

28 (B)(i)(a) Except as provided under subdivision
 29 (b)(4)(B)(i)(c) of this section, ~~national school lunch state categorical~~
 30 ~~funding~~ Enhanced Student Achievement Funding under this subdivision (b)(4)
 31 shall be based on the number of national school lunch students for the
 32 immediately preceding school year determined under § 6-20-2303(13)(A).

33 (b) If the public school district is
 34 participating under 42 U.S.C. § 1759a, funding under this subdivision (b)(4)
 35 is based on the percentage determined in § 6-20-2303(13)(B) multiplied by the
 36 number of enrolled students for the immediately preceding school year.

1 (c) The per-student ~~national school lunch~~
 2 ~~state categorical funding~~ Enhanced Student Achievement Funding for an open-
 3 enrollment public charter school shall be based upon the current school year
 4 enrollment:

5 (1) In the initial year of operation for
 6 an open-enrollment public charter school; or

7 (2) In a year in which an open-
 8 enrollment public charter school adds a grade.

9 (ii)(a) If a public school district will receive in
 10 the current school year ~~national school lunch state categorical funding~~
 11 Enhanced Student Achievement Funding under subdivision (b)(4)(A) of this
 12 section that is based on a different per-student amount of ~~national school~~
 13 ~~lunch state categorical funding~~ Enhanced Student Achievement Funding than the
 14 public school district received in the immediately preceding school year, due
 15 to a percentage change in national school lunch students, the ~~department~~
 16 Department of Education shall adjust the funding to the public school
 17 district in a transitional three-year period.

18 (b) The amount of ~~national school lunch state~~
 19 ~~categorical funding~~ Enhanced Student Achievement Funding under this
 20 subdivision (b)(4)(B)(ii) shall be increased or decreased in each year of a
 21 three-year transition period by one-third (1/3) of the difference between the
 22 amount of ~~national school lunch state categorical funding~~ Enhanced Student
 23 Achievement Funding per student for the current year and the amount of
 24 ~~national school lunch state categorical funding~~ Enhanced Student Achievement
 25 Funding per student for the immediately preceding year, adjusted for changes
 26 to the funding rates in subdivision (b)(4)(A) of this section.

27 (iii)(a) The Department of Education shall establish
 28 rules to implement the transitional ~~national school lunch state categorical~~
 29 ~~funding~~ Enhanced Student Achievement Funding provided in subdivision
 30 (b)(4)(B)(ii) of this section.

31 (b) The rules shall include the methods of
 32 transition for a school district that:

33 (1) Experiences a decrease in the amount
 34 of ~~national school lunch state categorical funding~~ Enhanced Student
 35 Achievement Funding per student under subdivision (b)(4)(A) of this section;

36 (2) Experiences an increase in the

1 amount of ~~national school lunch state categorical funding~~ Enhanced Student
2 Achievement Funding per student under subdivision (b)(4)(A) of this section;
3 or

4 (3) Within a three-year transition
5 period, experiences both a decrease and an increase in the amount of ~~national~~
6 ~~school lunch state categorical funding~~ Enhanced Student Achievement Funding
7 per student under subdivision (b)(4)(A) of this section.

8 (iv) Under no circumstances shall a public school
9 district be entitled to receive more or less ~~funding~~ Enhanced Student
10 Achievement Funding as a result of the transitional process than the public
11 school district is otherwise entitled to receive under this subdivision
12 (b)(4) based on the school district's national school lunch student
13 population as a percentage of the public school district's entire student
14 population.

15 (v)(a) A public school district that has experienced
16 a significant growth in enrolled students in the previous three (3) years
17 shall receive funding for the expected increase in the number of national
18 school lunch students based on the expected increase in enrolled students
19 based on the levels of funding provided in this section for national school
20 lunch students.

21 (b) The State Board of Education shall
22 establish rules to be used by the Department of Education to determine:

23 (1) The amount of growth necessary to
24 qualify as significant growth;

25 (2) The expected increase in the number
26 of national school lunch students based on the expected increase in enrolled
27 students; and

28 (3) Which public school districts have
29 experienced a significant growth in enrolled students as necessary to qualify
30 for funding under this subdivision (b)(4)(B)(v).

31 (c) The Department of Education shall not be
32 required to adjust or fund a public school district's national school lunch
33 students based on the current year's number of national school lunch students
34 enrolled in the public school district or the average growth of students in
35 the public school district.

36

1 SECTION 4. Arkansas Code § 6-23-501(a)(3), concerning the distribution
 2 of national school lunch state categorical funding to an open-enrollment
 3 public charter school, is amended to read as follows:

4 (3) ~~National school lunch state categorical funding~~ Enhanced
 5 Student Achievement Funding under § 6-20-2305(b)(4) shall be provided to an
 6 open-enrollment public charter school as follows:

7 (A) For the first year of operation, the first year
 8 operating under a new license, the first year adding a new campus, and in any
 9 year when a grade is added at any campus, free or reduced-price meal
 10 eligibility data as reported by October 1 of the current school year will be
 11 used to calculate the ~~national school lunch state categorical funding~~
 12 Enhanced Student Achievement Funding under the state board rules governing
 13 special needs funding; and

14 (B) For the second year and each school year of operation
 15 thereafter, the previous year's October 1 national school lunch student count
 16 as specified in state board rules governing special needs funding will be
 17 used to calculate ~~national school lunch state categorical funding~~ Enhanced
 18 Student Achievement Funding for the open-enrollment public charter school.

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 21 **APPROVED: 4/17/19**
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