

Hall of the House of Representatives
84th General Assembly - Second Extraordinary Session, 2003
Amendment Form

Subtitle of House Bill No. 1008

"TO TRACK THE AMOUNT OF STATE FUNDS THAT ARE USED TO SUPPORT
ATHLETIC PROGRAMS IN PUBLIC SCHOOLS."

Amendment No. 2 to House Bill No. 1008.

Amend House Bill No. 1008 as engrossed, H1/8/04 (version: 01-09-2004 10:35):

Page 1, delete line 11, and substitute:

"AND INTERSCHOOL SCHOLASTIC ACTIVITIES IN PUBLIC SCHOOLS; AND FOR OTHER
PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO TRACK THE AMOUNT OF STATE FUNDS THAT
ARE USED TO SUPPORT ATHLETIC PROGRAMS
AND INTERSCHOOL SCHOLASTIC ACTIVITIES IN
PUBLIC SCHOOLS."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 20, is amended to add an
additional subchapter to read as follows:

6-20-2001. Purpose.

The purpose of this subchapter is to track and account for the amount
of state funds that is used to support interschool athletic programs in
public schools.

6-20-2002. Definitions.

As used in this subchapter:

(1) "Athletic expenditures" means all direct and indirect
expenses related to interschool athletic programs, prorated if necessary,
including but not limited to:

(A) Salaries or supplemental pay for staff for interschool
athletic programs, excluding salaries received for duties as a classroom
teacher;

(B) All fringe benefits, including, but not limited to,



medical and dental insurance, workers' compensation, pension plans, and any other costs associated with employment of staff for interschool athletic programs;

(C) Travel, including bus-related operation and maintenance;

(D) Equipment;

(E) Meals;

(F) Supplies;

(G) Property and medical insurance;

(H) Medical expenses;

(I) Utilities; and

(J) Maintenance of facilities related to interschool athletic teams and spirit groups, excluding bands;

(2) "Classroom teacher" means an individual who is required to hold a teaching license from the Department of Education and who is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time;

(3) "Interschool athletic program" means:

(A) Any athletic program which is organized primarily for the purpose of competing with other schools, public or private; or

(B) Any athletic program which is subject to regulation by the Arkansas Activities Association; and

(4) "State funds" means all money derived from state revenues, specifically including but not limited to, distributions from the Department of Education Public School Fund Account and ad valorem property taxes distributed to a public school or school district.

6-20-2003. Certification by local district school board.

(a) Annually by September 15 of each year, the local school board of each school district shall:

(1) In a written report, certify to the State Board of Education:

(A) For the previous school year, the amount of the district's total athletic expenditures for interschool athletic programs that were paid from state funds; and

(B) For the upcoming school year, the district's total athletic expenditures budgeted for interschool athletic programs that are to be paid from state funds;

(2) Provide the state board with a report of the school district's total athletic expenditures paid from state funds in a format approved by the state board or the Department of Education for the previous school year;

(3) Provide the state board with a budget for the athletic expenditures to be paid from state funds as set forth under subdivision (a)(1)(B) of this section for the upcoming year; and

(4) Provide the state board and the department with any additional information or documentation requested.

(b)(1) Any school district failing to comply with the provisions of this subchapter and the rules adopted by the state board for the implementation of this subchapter shall be identified by the department to be a school in fiscal distress in accordance with the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.

(2) Any report required by this subchapter shall be subject to a yearly audit which shall be filed as set forth under §§ 6-20-1801 – 6-20-1804.

6-20-2004. Regulations.

(a) By May 1, 2004, the State Board of Education shall promulgate any rules necessary for the implementation of this subchapter.

(b) The rules shall include a procedure to be developed by the Department of Education to ensure uniform reporting of athletic expenditures.

SECTION 2. Arkansas Code Title 6, Chapter 20, is amended to add an additional subchapter to read as follows:

6-20-2101. Purpose.

The purpose of this subchapter is to track and account for the amount of state funds that is used to support interschool scholastic activities in public schools.

6-20-2102. Definitions.

As used in this subchapter:

(1) "Interschool scholastic activity expenditures" means all direct and indirect expenses related to interschool scholastic activities, prorated if necessary, including but not limited to:

(A) Salaries or supplemental pay for staff for interschool scholastic activities, excluding salaries received for duties as a classroom teacher;

(B) All fringe benefits, including, but not limited to, medical and dental insurance, workers' compensation, pension plans, and any other costs associated with employment of staff for interschool scholastic activities;

(C) Travel, including bus-related operation and maintenance;

(D) Equipment;

(E) Meals;

(F) Supplies;

(G) Property and medical insurance;

(H) Medical expenses;

(I) Utilities; and

(J) Maintenance of facilities related to interschool scholastic activities;

(2) "Classroom teacher" means an individual who is required to hold a teaching license from the Department of Education and who is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time;

(3)(A) "Interschool scholastic activities " means any interschool activity program that is outside the regular curriculum, excluding interschool athletic programs as defined by § 6-20-2002(3), which is organized primarily for the purpose of competing with other schools, public or private; or

(B) Any program or activity, excluding interschool athletic programs as defined by § 6-20-2002(3), which is subject to regulation by the Arkansas Activities Association; and

(4) "State funds" means all money derived from state revenues,

specifically including but not limited to, distributions from the Department of Education Public School Fund Account and ad valorem property taxes distributed to a public school or school district.

6-20-2103. Certification by local district school board.

(a) Annually by September 15 of each year, the local school board of each school district shall:

(1) In a written report, certify to the State Board of Education:

(A) For the previous school year, the amount of the district's total interschool scholastic activity expenditures that were paid from state funds; and

(B) For the upcoming school year, the district's total budgeted interschool scholastic activity expenditures to be paid from state funds;

(2) Provide the state board with a report of the school district's total interschool scholastic activity expenditures paid from state funds in a format approved by the state board or the Department of Education for the previous school year;

(3) Provide the state board with a budget for the interschool scholastic activity expenditures to be paid from state funds as set forth under subdivision (a)(1)(B) of this section for the upcoming year; and

(4) Provide the state board and the department with any additional information or documentation requested.

(b)(1) Any school district failing to comply with the provisions of this subchapter and the rules adopted by the state board for the implementation of this subchapter shall be identified by the department to be a school in fiscal distress in accordance with the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.

(2) Any report required by this subchapter shall be subject to a yearly audit which shall be filed as set forth under §§ 6-20-1801 – 6-20-1804.

6-20-2104. Regulations.

(a) By May 1, 2004, the State Board of Education shall promulgate any rules necessary for the implementation of this subchapter.

(b) The rules shall include a procedure to be developed by the Department of Education to ensure uniform reporting of interschool scholastic activity expenditures."

The Amendment was read _____
By: Representative Pickett
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Chief Clerk