

# Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

## Amendment Form

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### Subtitle of House Bill No. 2255

"AN ACT TO AMEND ARKANSAS CODE 6-20-2305 TO PROVIDE FLEXIBILITY IN  
NATIONAL SCHOOL LUNCH STUDENT CATEGORICAL FUNDING TO PUBLIC  
SCHOOL DISTRICTS."

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### Amendment No. 1 to House Bill No. 2255.

Amend House Bill No. 2255 as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-20-2305(b)(1), concerning funding for additional categories, is amended to read as follows:

(b)(1) In addition to state foundation funding aid, each school district shall receive funding for additional education categories as provided in subdivisions (b)(2)-~~(6)~~(5) of this section.

SECTION 2. Arkansas Code § 6-20-2305(b)(4)(C), concerning the use of national school lunch student funding, is amended to read as follows:

(C)(i)(a) The State Board of Education shall establish by rule a list of approved programs and purposes for which funds allocated under this subdivision (b)(4) may be expended.

~~(b) Through June 30, 2007, the State Board of Education shall approve the use of funds by a school district to supplement salaries for classroom teachers only under the following conditions:~~

~~(1) The school district meets the minimum teacher salary schedule in § 6-17-2403 without using funds provided under this subdivision (b)(4); and~~

~~(2) The school district is permitted to use funds provided under this subdivision (b)(4) to supplement salaries for classroom teachers only to the extent the school district was using funds provided under this subdivision (b)(4) to supplement salaries for classroom teachers as of January 1, 2006.~~

~~(e)~~(b) School districts shall expend funds allocated under this subdivision (b)(4) only on the programs or purposes on the State Board of Education's list of approved programs and purposes for which funds allocated under this subdivision (b)(4) may be expended, which shall include, but are not limited to:

(1) Classroom teachers, provided that the school district meets the minimum salary schedule in § 6-17-2403 without



using funds provided under this subdivision (b)(4) and that those teachers are used for the purposes delineated in this subdivision (b)(4) ~~and as allowed through June 30, 2007, under subdivision (b)(4)(C)(ii) of this section to supplement salaries of classroom teachers;~~

(2) Before-school academic programs and after-school academic programs, including transportation to and from the programs;

(3) Prekindergarten programs coordinated by the Department of Health and Human Services;

(4) Tutors, teachers' aides, counselors, social workers, nurses, and curriculum specialists;

(5) Parent education;

(6) Summer programs;

(7) Early intervention programs; and

(8) Materials, supplies, and equipment, including technology used in approved programs or for approved purposes.

(ii) School districts that have met the needs of students for whom the funding is provided for additional educational categories under subsection (b) of this section and that have excess national school lunch student categorical funds provided under this subdivision (b)(4) may use the excess national school lunch student categorical funds to supplement all classroom teacher salaries under the following conditions:

(a) The school district shall not use any portion of the national school lunch student categorical funds that are carry forward or reserve funds to supplement classroom teacher salaries;

(b) The school district shall meet the minimum teacher salary schedule under § 6-17-2403 without using national school lunch student categorical funds;

(c) The school district shall comply with the Standards for Accreditation of Arkansas Public Schools established under The Quality Education Act of 2003, § 6-15-201 et seq. and the Arkansas Fiscal Assessment and Accountability Program under § 6-20-1901 et seq. without using national school lunch student categorical funds; and

(d) The school district shall agree that it shall not allocate or use any excess national school lunch student categorical funds in any manner except as a bonus to the salary of classroom teachers.

(iii) The school district shall include with its comprehensive school improvement plan a written detailed statement concerning how the school district will use its excess national school lunch categorical funds each school year and explaining in detail the amount of funds and percent of total funds to be used to supplement all classroom teacher salaries as allowed in subdivision (b)(4)(C)(ii) of this section.

(iv)(a) Upon review of the school district's comprehensive school improvement plan, if the Commissioner of Education determines that the school district has met the needs of students in the school district for whom the funding for additional educational categories under subsection (b) of this section is provided, has met the requirements of subdivisions (b)(4)(C)(ii) and (iii) of this section, and has prudently managed its resources, the commissioner shall give written approval of the detailed planned flexible use of excess national school lunch student categorical funds provided to the school district.

(b) The school district shall not use its

excess national school lunch categorical funds for classroom teacher salaries as provided in subdivision (b)(4)(C)(ii) of this section unless:

(1) The commissioner provides the written approval required under subdivision (b)(4)(C)(iv)(a) of this section; and

(2) Funds allocated under this subdivision (b)(4) are available.

(v)(a) The excess national school lunch student categorical funds used to supplement the salary of a classroom teacher shall only be used as a nonrecurring bonus to a classroom teacher's salary for any given school year and shall not be considered a permanent obligation under the school district's teacher salary schedule or as contract obligations of any classroom teacher or employee of the school district.

(b) Each teacher contract with the school district shall contain a statement that recites subdivision (b)(4)(C)(v)(a).

~~(ii)~~(vi) However, notwithstanding Notwithstanding any other provision of law, if the Department of Education determines that a school district's expenditure of funds allocated under this subdivision (b)(4) would result in the school district's losing funding under any federal law, then the funds allocated to a school district under this subdivision (b)(4) may be expended for other academic programs or salaries.

~~(iii)~~(vii) The Department of Education may direct that a school district expend available funds on specified programs under subdivision (b)(4)(C)(i) of this section.

(viii)(a) By the end of each school year, each school district shall submit to the Department of Education a report listing each program upon which funds allocated under this subdivision (b)(4) were expended, the amount expended, and any other information required by the Department of Education on the use of funds allocated under this subdivision (b)(4).

(b) The Department of Education shall develop appropriate reporting forms for use by school districts to comply with subdivision (b)(4)(C)(viii) of this section."

The Amendment was read \_\_\_\_\_  
By: Representative Cook  
CLR/CLR - 03-15-2007 13:41  
CLR339 \_\_\_\_\_  
Chief Clerk