

ARKANSAS SENATE
86th General Assembly - Regular Session, 2007
Amendment Form

JBC 03/22/07 (1)

Subtitle of Senate Bill No. 262

"AN ACT FOR THE DEPARTMENT OF EDUCATION APPROPRIATION FOR THE 2007-
2009 BIENNIUM."

Amendment No. 4 to Senate Bill No. 262.

Amend Senate Bill No. 262 as engrossed, S3/21/07 (version: 03-21-2007 14:56)

Add new sections immediately following Section 18 to read as follows:

"SECTION 19. APPROPRIATION - PULASKI COUNTY DESEGREGATION CASE COSTS. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Fund Account, for payment of consultants, expert witnesses, attorneys' fees, or other costs related to investigating and pursuing the end of the Pulaski County Desegregation Case, for the biennial period ending June 30, 2009, the sum of\$1,500,000.

SECTION 20. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK - "END TO END" SECURITY REVIEW/ASSESSMENT. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for professional fees and services for the completion of an "End to End" Security Review and Security Assessment for the Department of Education - Arkansas Public School Computer Network which shall be supplemental and in addition to those funds appropriated in Section 3 of Act 229 of 2007, the sum of\$300,000."

And

Appropriately renumber subsequent sections of the bill

And

Page 18, line 17, delete "House" and substitute "Act 272"

And

Page 18, line 18, delete "Bill 1632"

And



Page 19, delete lines 20 through 23 in their entirety

And

Add new sections immediately following SECTION 31 to read as follows:

" SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI COUNTY DESEGREGATION CASE COSTS FUND TRANSFER - PUBLIC SCHOOL FUND. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of the State the sum of seven hundred fifty thousand dollars (\$750,000) from the Department of Education Public School Fund Account to the Department of Education Fund Account to provide funds for the appropriation authorized in this Act for Pulaski County Desegregation Case Costs. On July 1, 2007 the Chief Fiscal Officer of the State may transfer to the Department of Education Public School Fund Account an amount not to exceed seven hundred fifty thousand dollars (\$750,000) from the Budget Stabilization Trust Fund if the Department of Education Public School Fund Account balance is less than twenty million dollars (\$20,000,000) on July 1, 2007.

No portion of the seven hundred fifty thousand dollars (\$750,000) transferred by this Section to the Department of Education Fund Account for Pulaski County Desegregation Case Costs shall be expended by the Department of Education without certification by the Commissioner of the Department of Education to the Chief Fiscal Officer of the State and prior approval by the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.

SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI COUNTY DESEGREGATION CASE COSTS FUND TRANSFER - EIGHTY-FIFTH SESSION PROJECTS ACCOUNT. On July 1, 2007, the Chief Fiscal Officer shall transfer on his or her books and those of the State Treasurer and the Auditor of State the sum of one hundred ninety thousand dollars (\$190,000) from the Eighty-Fifth Session Projects Account within the General Improvement Fund which was authorized in Act 2315 of 2005 for state assistance to the City of Jacksonville, Arkansas for costs associated with the construction, renovation and equipping of a library and the sum of twenty thousand dollars (\$20,000) from the Eighty-Fifth Session Projects Account within the General Improvement Fund which was authorized in Act 2315 of 2005 for state assistance to the City of Jacksonville, Arkansas to the Department of Education Fund Account to provide funds exclusively for the appropriation authorized in this Act for the Department of Education for the payment of Pulaski County Desegregation Case Costs.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.

SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide

funding for Alternative Learning Environment Programs in excess of the regulatory limitation of six (6) hours per day for those programs that operate more than twelve hours per day, in a proportionate manner and upon special request to the Department of Education.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.

SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER HOUSING DEVELOPMENT FUNDING. The appropriation for Teacher Housing Development provided in Act 229 of 2007 shall be fully funded and reduced only proportionally for decreases in the Official General Revenue Forecast.

SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN-ENROLLMENT VIRTUAL CHARTER SCHOOL FUNDING RESTRICTIONS. The Special Language Section regarding "Charter School Funding Restrictions" in Section 24 of Act 229 of 2007 is amended to read as follows:

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~CHARTER SCHOOL FUNDING RESTRICTIONS. OPEN-ENROLLMENT VIRTUAL CHARTER SCHOOL FUNDING RESTRICTIONS.~~ Regardless of any provision of any law to the contrary, the Department of Education shall fund from state monies only those charter schools which provide education services in a traditional public school setting and, if the internet or long distance learning technology is used, the internet or long distance learning technology is used as a supplement to the school's traditional classroom setting.

~~The provisions of this section shall be in effect only from July 1, 2005 2007 through June 30, 2007 2009.~~

(a) Regardless of any provision of law to the contrary, beginning with the 2007-2008 school year, no school district shall receive state funding for those students in the district's prior year three quarter average daily membership who were enrolled and attending a public school with an internet, long-distance or virtual technology curriculum based program which was not part of a public school district and the public school program was funded by a federal voluntary public school choice grant administered by the Department of Education.

(b) Prior to July 1, 2007, the Department of Education shall notify the Arkansas State Board of Education of the maximum number of students that the State Board of Education shall allow to enroll and attend any open-enrollment charter school that uses internet, long-distance or virtual technology as the primary method of teaching. It is the intent of this language that the Department shall not establish and certify a number of students to the State Board of Education that exceeds the number of students for which school districts were not able to receive state funding because of the requirements of paragraph (a). However, to the extent there are any revenue savings caused by the closure of any open-enrollment charter school in existence on July 1, 2006, the State Board of Education may increase the maximum number of students allowed to enroll and attend an internet, long-distance or

virtual technology open-enrollment charter school to the extent the maximum number of students does not exceed five hundred (500) students.

(c) The provisions of this special language shall not restrict, affect or impair any other provision of law or rule concerning public school districts or public charter schools except as provided in paragraph (a) and (b).

(d) The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.

SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER - "END TO END" SECURITY REVIEW/ASSESSMENT. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the Auditor of State, the sum of three hundred thousand dollars (\$300,000) from the General Revenue Allotment Reserve Fund to the Department of Education Public School Fund Account. The amount transferred shall be used to provide funds for the supplemental appropriation for the Arkansas Public School Computer Network – "End to End" Security Review and Security Assessment provided in this Act.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

And

Appropriately renumber subsequent sections of the bill.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senators Baker, Argue
Representatives Bond, Chesterfield, Thyer
LEB/LEB - 03-22-2007 11:45
LEB220

Secretary