

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of House Bill No. 1606

"TO PROVIDE FISCAL ACCOUNTABILITY FOR EDUCATION SERVICE
COOPERATIVES."

Amendment No. 1 to House Bill No. 1606.

Amend House Bill No. 1606 as engrossed, H3/19/09 (version: 03-19-2009 09:51):

Page 2, line 13, delete "June 1" and substitute "August 31"

AND

Page 4, delete lines 31 through 35 and substitute:

"(c)(1) The department may identify an education service cooperative as being in fiscal distress at any time a fiscal condition of the education service cooperative is discovered to have a detrimental negative impact on the continuation of educational services provided by the education service cooperative.

(2)(A) If the department identifies an education service cooperative as being in fiscal distress, the department shall notify the education service cooperative in writing of the identification of fiscal distress within ten (10) calendar days.

(B) The department shall identify in the notice each criteria"

AND

Page 5, line 2, delete "(3)" and substitute "(C)"

AND

Page 5, line 4, delete "(A)" and substitute "(i)"

AND

Page 5, line 6, delete "(B)" and substitute "(ii)"

AND

Page 5, delete lines 8 through 11 and substitute:



"(d) The identification of fiscal distress made by the department under this section may be appealed to the State Board of Education under § 6-13-1031, in which case the final order entered upon appeal is the final classification of fiscal distress."

AND

Page 5, line 13, delete "identification" and substitute "classification by the state board"

AND

Page 5, line 16, delete "identified" and substitute "classified"

AND

Page 5, line 28, delete "identified" and substitute "classified by the State Board of Education"

AND

Page 6, line 2, delete "identification" and substitute "classification"

AND

Page 6, delete lines 18 through 20 and substitute:

"(2) Every six (6) months during which the education service cooperative is classified as being in fiscal distress, the department shall submit to the state board a written evaluation on the fiscal status of the education service cooperative;"

AND

Page 6, delete lines 28 through 31

AND

Page 6, line 32, delete "(2)" and substitute "(1)"

AND

Page 7, delete lines 8 and 9 and substitute:

"(2) Impose reporting requirements on the education service cooperative.

(c) Within two (2) consecutive school years of the State Board of Education's final classification of fiscal distress, the Department of Education shall determine whether to recommend that the education service cooperative be removed from fiscal distress status."

AND

Page 7, delete lines 12 through 16 and substitute:

"(a) The Department of Education shall certify in writing to"

AND

Page 7, line 18, delete "should" and substitute "may"

AND

Page 7, line 21, delete "identification" and substitute "classification"

AND

Page 7, delete lines 24 through 33 and substitute:

"(b)(1) Within thirty (30) days of receiving the department's certification under subsection (a) of this section, an education service cooperative may petition the State Board of Education in writing for removal from fiscal distress.

(2) An education service cooperative may not petition the state board for removal from fiscal distress status before the department makes the certification under subsection (a) of this section.

(c) Within sixty (60) days of receiving the petition for removal from fiscal distress, the state board shall deny the petition or remove the education service cooperative from fiscal distress status.

(d) If an education service cooperative fails to meet the department's requirements for removal from fiscal distress status within two (2) consecutive school years of being classified in fiscal distress, the state board shall:"

AND

Page 8, delete lines 4 through 7 and substitute:

"(B) The state board shall extend the classification of fiscal distress for one (1) additional year within which time the education service cooperative shall comply with all conditions for removal from fiscal distress status under this section."

AND

Page 8, line 8, delete "(f)" and substitute "(e)"

AND

Page 8, line 11, delete "(e)" and substitute "(d)"

AND

Page 8, line 19, delete "or decision." And substitute "of fiscal distress."

AND

Page 8, line 21, delete "identified" and substitute "classified"

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

By: Senator Broadway

CLR/LNS - 03-30-2009 11:47

CLR267

Secretary