

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

INTERIM STUDY PROPOSAL 2009-031

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

HOUSE BILL 1960

By: Representative Stewart
By: Senator Teague

Filed with: House Interim Committee on Education
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO CHANGE THE CALCULATION OF MINIMUM
ENROLLMENT FOR ADMINISTRATIVE REORGANIZATION; AND
FOR OTHER PURPOSES.

Subtitle

TO CHANGE THE CALCULATION OF MINIMUM
ENROLLMENT FOR ADMINISTRATIVE
REORGANIZATION.

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

SECTION 1. Arkansas Code § 6-13-1601(4), concerning the definition of average daily membership as used in the Public Education Reorganization Act, is amended to read as follows:

(4)(A) "Average daily membership" means the total number of days attended plus the total number of days absent by students in grades ~~kindergarten~~ prekindergarten through twelve ~~(K-12)~~ (preK-12) during the first three (3) quarters of each school year divided by the number of school days actually taught in the school district during that period of time rounded up to the nearest hundredth.

(B) Students who may be counted for average daily membership are:

(i) Students who reside within the boundaries of the



1 school district and who are enrolled in a public school operated by the
2 school district or a private school for special education students, with
3 their attendance resulting from a written tuition agreement approved by the
4 Department of Education;

5 (ii) Legally transferred students living outside the
6 school district but attending a public school in the school district; ~~and~~

7 (iii) Students who reside within the boundaries of
8 the school district and who are enrolled in the Arkansas National Guard Youth
9 Challenge Program, so long as the students are participants in the program;
10 and

11 (iv)(a) Students enrolled in a state-supported
12 prekindergarten program operated on a school campus in the school district.

13 (b) The General Assembly finds that the
14 administrative reorganization of a public school district under this
15 subchapter also impacts the prekindergarten students counted under this
16 subdivision (4)(B)(iv). Therefore, prekindergarten students are included in
17 the calculation of average daily membership but only for the limited purpose
18 of calculating the minimum enrollment number for administrative consolidation
19 or annexation under this subchapter. The inclusion of prekindergarten
20 students in average daily membership shall not be construed to mean that
21 prekindergarten students are or should be counted for the purposes of per
22 student funding.

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24 SECTION 2. In calculating the average daily membership of a school
25 district for the school year 2008-2009, the Department of Education shall
26 include students enrolled in a state-supported prekindergarten program
27 operated on a school campus in the school district as provided in this act.

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35 Filed Date: 04/02/2009 By: CLR\VJF