

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 2009-151

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

SENATE BILL 740

By: Senator Laverty

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

For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
RELATING TO FUNDING FOR ISOLATED SCHOOLS; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE
RELATING TO FUNDING FOR ISOLATED
SCHOOLS.

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

SECTION 1. Arkansas Code § 6-20-603(i), concerning the funding for isolated schools, is amended to read as follows:

(i)(1) Except as provided under § 6-20-604(g), A a school district eligible to receive isolated funding under this section shall continue to receive partial funding even if all or part of an isolated school is closed.

(2) If all or part of an isolated school in a school district is closed, the school district shall receive funding based on the prior year's three-quarter average daily membership of the isolated school or the part of the isolated school that remains open.

~~(3) The school district shall not receive funding under this subsection (i) if the closure is directed by the school district board of directors.~~



1 SECTION 2. Arkansas Code § 6-20-604(c)(1), concerning eligibility of
2 an isolated school for special needs funding, is amended to read as follows:

3 (1) School facilities ~~open for~~ servicing students in any grade in
4 kindergarten through grade twelve (K-12), in ~~two (2)~~ one (1) or more isolated
5 schools meeting the requirements of subsection (b) of this section;

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7 SECTION 3. Arkansas Code § 6-20-604(g)-(h), concerning certain special
8 needs funding for isolated schools are amended to read as follows:

9 (g)~~(1)~~ A school district eligible for special needs funding under this
10 section shall continue to be eligible to receive isolated school funding
11 provided under § 6-20-603 but shall only receive funding under one (1) of the
12 categories established under subsections (e)-(f) of this section When an
13 isolated school that receives funding under § 6-20-603(c)-(f) or under this
14 section is closed due to the affected school district's consolidation or
15 annexation, that funding shall continue and shall be paid to the receiving
16 school district in the consolidation or annexation that enrolls students from
17 the closed isolated school.

18 (2) The receiving school district may only use funds received
19 under this subsection (g) for the cost of transporting students previously
20 enrolled in the closed isolated school.

21 (h)(1) This section is contingent on the appropriation and
22 availability of funding for its purposes.

23 ~~(2)(A) Undistributed funds under this section and § 6-20-603~~
24 ~~allocated to a school district that is no longer eligible to receive the~~
25 ~~funding shall be distributed on an equal basis per school district to each~~
26 ~~remaining school district that is eligible to receive funds under subsections~~
27 ~~(e)-(e) of this section.~~

28 ~~(B) Funds distributed under subdivision (h)(2)(A) of this~~
29 ~~section shall be used by the school district only for transportation costs of~~
30 ~~the isolated schools in the school district.~~

31 ~~(3)(2)~~ Funding provided under this section is in addition
32 to and in excess of the amount of funds necessary to provide an adequate
33 education as required by the Arkansas Constitution and cannot be relied upon
34 beyond the 2007-2009 biennium expiration date of an appropriation made for
35 the purposes of this section.

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1 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
2 Assembly of the State of Arkansas that school districts that enroll students
3 in an isolated school or from a closed isolated school need funding for the
4 transportation of those students to and from the isolated area; that some
5 school districts may lose isolated school funding when an isolated school is
6 closed but continue to have the additional transportation costs; that the
7 loss of the funding may place a hardship on the school district involved; and
8 that this act is immediately necessary because school districts affected by
9 this act and the Department of Education need to resolve the funding issues
10 under this act before the beginning of the 2009-2010 school year. Therefore,
11 an emergency is declared to exist and this act being immediately necessary
12 for the preservation of the public peace, health, and safety shall become
13 effective on:

14 (1) The date of its approval by the Governor;

15 (2) If the bill is neither approved nor vetoed by the Governor,
16 the expiration of the period of time during which the Governor may veto the
17 bill; or

18 (3) If the bill is vetoed by the Governor and the veto is
19 overridden, the date the last house overrides the veto.

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36 Filed Date: 04/09/2009 By: CLR\VJF