

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011

# A Bill

SENATE BILL 267

4 By: Senator D. Johnson

5  
6 Filed with: Interim Senate Committee on Education  
7 pursuant to A.C.A. §10-3-217.

## For An Act To Be Entitled

8 AN ACT TO EXPAND LEARNING TIME FOR ARKANSAS PUBLIC  
9 SCHOOL STUDENTS BY ALLOWING SCHOOL DISTRICTS TO  
10 OPERATE A TWO-HUNDRED-DAY SCHOOL YEAR; TO PROVIDE  
11 ADDITIONAL FUNDING TO QUALIFIED SCHOOL DISTRICTS; AND  
12 FOR OTHER PURPOSES.  
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## Subtitle

15 TO EXPAND LEARNING TIME FOR ARKANSAS  
16 PUBLIC SCHOOL STUDENTS BY ALLOWING SCHOOL  
17 DISTRICTS TO OPERATE A TWO-HUNDRED-DAY  
18 SCHOOL YEAR.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 1 is amended  
27 to add an additional section to read as follows:

28 6-13-112. Two-hundred-day school year.

29 (a) It is found and determined by the General Assembly that:

30 (1) State and national accountability measures place an  
31 increasingly high demand on public school districts and public school  
32 students in Arkansas for instruction and learning; and

33 (2) The state's efforts to increase the educational attainment  
34 of underrepresented public school students in Arkansas could be enhanced by  
35 the establishment and operation of educational programs on the basis of a  
36 school year with two hundred (200) instructional days.

1       (b) It is therefore the intent and purpose of this section to  
2 authorize and encourage public schools to initiate and maintain public school  
3 educational programs on the basis of a two-hundred-day school year.

4       (c) As used in this section:

5           (1)(A) "Average daily membership" for a school district that  
6 elects to operate a two-hundred-day school year under this section means the  
7 total number of days attended plus the total number of days absent by  
8 students in kindergarten through grade twelve (K-12) during the two-hundred-  
9 day school year divided by the number of actual instructional days and  
10 rounded up to the nearest hundredth.

11           (B) The students who may be counted for average daily  
12 membership are the same as those who are counted for average daily membership  
13 for purposes of distributing state funding under § 6-20-2305;

14           (2) "Qualified school district" means a school district that  
15 elects to operate on a two-hundred-day school year under this section and in  
16 which:

17           (A) All public schools in the school district are  
18 identified by the Department of Education as being in at least the first year  
19 of school improvement under the Arkansas Comprehensive Testing, Assessment,  
20 and Accountability Program Act, § 6-15-401 et seq.; and

21           (B) Eighty percent (80%) or greater of the previous school  
22 year's enrolled students are national school lunch students for the purpose  
23 of receiving state categorical funding for national school lunch students  
24 under § 6-20-2305(b)(4); and

25           (3) "Two-hundred-day school year" means a school year for a  
26 public school district that:

27           (A) Contains at least two hundred (200) instructional days  
28 for students;

29           (B) Provides no vacation period lasting more than six (6)  
30 weeks; and

31           (c) Schedules the last day of instruction on or before  
32 June 30.

33       (d) The board of directors of any school district may elect to operate  
34 on a two-hundred-day school year for all of the public schools in the school  
35 district.

1       (e) In the first year that a school district elects to operate a two-  
2 hundred-day school year under this section, the school district may calculate  
3 its budget based on an estimated average daily membership that is not greater  
4 than the three-quarter average daily membership for the previous school year.

5       (f)(1) Except as provided under subdivision (f)(2) of this section, a  
6 school district that elects to operate on a two-hundred-day school year shall  
7 receive the same amount of state foundation funding and other forms of state  
8 aid the school district would have received based on a nine-month school  
9 year, but using the definition of average daily membership under this  
10 section.

11       (2) A qualified school district shall receive:

12               (A) The qualified school district's per student state  
13 funding based on the average daily membership; and

14               (B) An additional amount of per student state foundation  
15 funding aid equal to six percent (6%) of the total foundation funding amount  
16 for the qualified school district under § 6-20-2305(a).

17       (3) A school district may use national school lunch state  
18 categorical funding received under § 6-20-2305 for increased expenditures  
19 relating to classroom instruction incurred as a result of operating on a two-  
20 hundred-day school year.

21       (g) The department shall make all distributions of state foundation  
22 funding aid and other forms of state aid to a school district under this  
23 section in twelve (12) approximately equal monthly amounts.

24       (h)(1) A school district shall maintain a two-hundred-day school year  
25 unless it obtains prior approval from the State Board of Education to change  
26 back to the school year that the school district operated under prior to  
27 electing to operate on a two-hundred-day school year.

28       (2) The state board:

29               (A) Shall base its decision to approve or disapprove the  
30 change requested by the school district on whether the change would benefit  
31 the academic achievement of students in the school district; and

32               (B) May require explanation or documentation from the  
33 school district to support the school district's request.

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1 SECTION 2. Arkansas Code § 6-20-2303(3)(B), concerning the definition  
2 of average daily membership for purposes of public school funding, is amended  
3 to read as follows:

4 (B) ~~In those instances in which the~~ When the law specifies  
5 that average daily membership is calculated for a school district for less  
6 than a period of time different from three (3) quarters is specified, the  
7 number of days used in the calculation shall be the days in the specified  
8 period of time.

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10 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
11 General Assembly of the State of Arkansas that achievement levels of many  
12 public school students are adversely affected when school is not in session  
13 during the summer months; that the loss of educational achievement over the  
14 summer months has a cumulative effect on those students who fall further  
15 behind each year; that low-performing school districts need additional  
16 funding in order to use the extended school year to increase the educational  
17 achievement levels of students; and that this act is immediately necessary to  
18 allow the State Board of Education to promulgate rules to implement this act  
19 for the 2011-2012 school year and to provide low-performing school districts  
20 the additional funding to operate an extended school year beginning with the  
21 2011-2012 school year. Therefore, an emergency is declared to exist and this  
22 act being necessary for the preservation of the public peace, health, and  
23 safety shall become effective on July 1, 2011.

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25 Referred by the Arkansas Senate

26 Prepared by: CLR/VJF  
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