
Memorandum

TO: Members, ALC – Executive Subcommittee

FROM: Mary Cameron, Staff Attorney, Rules and Regulations Section, Legal Services Division

CC: Marty Garrity, Director, Bureau of Legislative Research;
Jill Thayer, Legal Counsel to the Director; and
Jessica Sutton, Administrator, Administrative Rules Review Section.

DATE: September 11, 2015

SUBJECT: Analysis of Legal Authorization to enact a proposed Emergency Rule concerning the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditures.

LEGAL AUTHORIZATION: This rule implements Acts 846, 994, and 1115 of 2015. The State Board of Education is authorized to promulgate regulations for the implementation of the Public School Funding Act of 2003 under Ark. Code Ann. § 6-20-2304(a). The proposed rule includes formulas for the disbursement of school lunch funds. In order to avoid imminent peril to the public health and welfare of public schools and students and to be in compliance with federal law, this rule is being adopted as an Emergency Rule in accordance with Ark. Code Ann. §25-15-204(c). See also, Ark. Code Ann. § 6-11-105, 6-20-2301 et seq., and 6-48-101 et seq.