1	State of Arkansas	A Bill		Call	Item 4
2	84th General Assembly				
3	Second Extraordinary Session, 20	03	HOUS	SE BILL	1148
4					
5	By: Representative Stovall				
6					
7		Ear An Aat To Do Entitled			
8	AN ACT TO T	For An Act To Be Entitled			
9		REPEAL ACT 27 OF THE SECOND	IDMII		
10		ARY SESSION OF THE EIGHTY FOU			
11	GENERAL ASS	SEMBLY; AND FOR OTHER PURPOSE	15.		
12 13		Subtitle			
14	AN ACT 7	TO REPEAL ACT 27 OF THE SECON	ID		
15		DINARY SESSION OF THE EIGHTY			
16		GENERAL ASSEMBLY; AND FOR OTH	IER		
17	PURPOSES	·			
18					
19					
20	BE IT ENACTED BY THE GENE	CRAL ASSEMBLY OF THE STATE OF	ARKANSAS:		
21					
22	SECTION 1. Act 27	of the Second Extraordinary	Session of th	ne 84 <sup>th</sup>	
23	General Assembly is repea	led.			
24	SECTION 1. Section	ı l, Item Number (13) POVERTY	INDEX, of Ac	et 51 of	<del>the</del>
25	First Extraordinary Sessi	on of 2003 is amended to rea	d as follows:	F	
26					
27	ITEM		——FISCAL	YEARS	
28	<u>−NO •</u>		<del>2003-2004</del>	2004-20	<del>05</del>
29	(13) NATIONAL SCHOOL LU	NCH ACT STUDENTS	21,500,000	8,500,0	<del>00</del>
30					
31	SECTION 2. SPECIA	L LANGUAGE. NOT TO BE INCO	ORPORATED INT	O THE	
32	ARKANSAS CODE NOR PUBLISH	HED SEPARATELY AS SPECIAL, LO	CAL AND TEMPO	)RARY LA	₩.
33	FUNDING TRANSFER. Immedi	ately upon the effective dat	<del>e of this act</del>	the C	hief
34	Fiscal Officer of the Sta	te shall transfer on his boo	ks and those	<del>of the</del>	
35	State Treasurer and the A	auditor of the State the sum	of five mill:	<del>ion doll</del>	ars
36	(\$5,000,000) from funds r	eccived from the Jobs and Gr	owth Tax Reli	<del>ief</del>	

1	Reconciliation Act of 2003, Public Law 108-27, to the Department of Education	
2	Public School Fund Account.	
3		
4	SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE	
5	ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.	
6	NATIONAL SCHOOL LUNCH ACT FUNDING.	
7	(a) For the purpose of distributing National School Lunch Act student	
8	funding to school districts as appropriated in Item (13) of Section 1 of Act	
9	51 of the First Extraordinary Session of 2003 as amended by this act,	
10	National School Lunch Act student funding is funding for students eligible	
11	for the free or reduced lunch program. These funds shall be used only for	
12	early intervention strategies sanctioned by the Department of Education in	
13	reading and writing literacy or mathematics for students in pre-kindergarten	
14	through grade one (preK-1).	
15	(b) DEFINITIONS.	
16	(1) "Pre-kindergarten" means a program developed for children	
17	between the ages of three (3) and five (5) years old;	
18	(2) "Kindergarten enrollment" means the number of students	
19	enrolled in kindergarten on October 1 of each year;	
20	(3) "Grade one (1) enrollment" means the number of students	
21	enrolled in grade one (1) on October 1 of each year;	
22	(4) "Eligible student" means a child who is at least three (3)	
23	years old and participating in an approved program or is enrolled in grades	
24	kindergarten or one (1) in an eligible public school;	
25	(5) "Percent of free and reduced lunch program" means the total	
26	amount of National School Lunch Act students divided by the total	
27	kindergarten and grade one (1) enrollment;	
28	(6) "National School Lunch Act (NSLA) students" means those	
29	students from low socio-economic backgrounds in grades kindergarten through	
30	grade one (k-1) by eligibility for free or reduced-priced meals under the	
31	National School Lunch Act as calculated on the October 1 of each year and	
32	submitted to the department in the Arkansas Public School Computer Network	
33	Cycle 2 Report.	
34	(c) CALCULATION OF NATIONAL SCHOOL LUNCH ACT STUDENT FUNDING.	
35	(1) National School Lunch Act student funding shall be	
36	calculated using the following data elements from the previous fiscal year:	

I	<del>(Λ) Kindergarten enrollment;</del>
2	(B) Grade one (1) enrollment;
3	(C) Kindergarten National School Lunch Act students; and
4	(D) Grade one (1) National School Lunch Act students.
5	(2) For the 2003-2004 school year, National School Lunch Act
6	student funding for each identified National School Lunch Act student shall
7	<del>be as follows:</del>
8	(A) For schools in which eighty percent (80%) or greater
9	of the enrolled students are National School Lunch Act students, funding
10	shall be seven hundred fifty dollars (\$750) per NSLA student;
11	(B) For schools in which at least sixty percent (60%) but
12	less than eighty percent (80%) of the enrolled students are National School
13	Lunch Act students, funding shall be four hundred dollars (\$400) per NSLA
14	student; and
15	(C) For schools in which less than sixty percent (60%) of
16	the enrolled students are National School Lunch Act students, funding shall
17	be three hundred dollars (\$300) per NSLA student.
18	(3) Funding for National School Lunch Act students shall be
19	based on the number of students eligible for free or reduced-price lunch
20	program under the National School Lunch Act identified on the October 1,
21	enrollment report submitted to the Department of Education each year;
22	submitted in October of 2002.
23	(4) The amount of National School Lunch Act student funding a
24	school district shall receive for the schools in the district is equal to the
25	product of the amount determined under subdivision (c)(2) of this section
26	times the number of eligible free and reduced students enrolled in grades
27	kindergarten and one (1).
28	(5) For monitoring purposes, the school district shall account
29	for the funds with a source of funds code and revenue code specified by the
30	department and shall submit reports as required.
31	(d) RESTRICTED USE OF FUNDS.
32	(1) Funds received by a school shall be restricted to early
33	intervention programs approved by the department.
34	(2) Moneys distributed shall be exempt from inclusion in
35	ealculations of additional base funding under Arkansas Code § 6-20-303 and
36	the Federal Range Ratio, 34 C.F.R. § 222.61, et seq., (1994), under the

T	exemption provision for revenues generated for students with low socio-		
2	economic status.		
3	(3) Schools may carry NSLA balances over from one fiscal year to		
4	the next. These balances shall be restricted to approved programs.		
5	(4) Funds shall only be used to benefit students in an eligible		
6	public school.		
7	(5) Any additional personnel to be employed by the school shall		
8	hold an appropriate Arkansas teaching license or be exceptionally well		
9	qualified in the field of early childhood education.		
10	(6) Funds shall be used for programs designed to increase		
11	student achievement in reading, writing, and mathematics in pre-kindergarten		
12	through grade one (1).		
13	(7) Specific program activities exceeding minimum requirements		
14	eligible for National School Lunch Act student funding, include, but are not		
15	<del>limited to:</del>		
16	(A) Hiring literacy or mathematics specialists;		
17	(B) Hiring literacy coaches;		
18	(C) Providing professional development in the areas of		
19	reading and writing literacy or mathematics;		
20	(D) Purchasing computers or software, or other		
21	improvements in technology to assist in instructional activities;		
22	(E) Establishing before and after school instructional		
23	activities;		
24	(F) Extending school year instructional activities; and		
25	(G) Establishing, maintaining or expanding pre-		
26	kindergarten through grade one (1) programs.		
27			
28	SECTION 2. EMERGENCY CLAUSE. It is found and determined by the		
29	General Assembly of the State of Arkansas that Act 27 was enacted in order to		
30	provide assistance to poverty areas in the event that other poverty		
31	assistance was not made available to the public schools and that supplemental		
32	assistance for poverty students is contained in the school distribution		
33	formula of 2003 thereby making the funding provided in Act 27 unnecessary.		
34	Therefore, an emergency is declared to exist and this act being immediately		
35	necessary for the preservation of the public peace, health, and safety shall		
36	become effective on:		

1	(1) The date of its approval by the Governor;
2	(2) If the bill is neither approved nor vetoed by the Governor,
3	the expiration of the period of time during which the Governor may veto the
4	bill; or
5	(3) If the bill is vetoed by the Governor and the veto is
6	overridden, the date the last house overrides the veto.
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