

1 State of Arkansas  
2 85th General Assembly  
3 First Extraordinary Session, 2006  
4

As Engrossed: S4/6/06  
**A Bill**

Call Item 13

HOUSE BILL 1040

5 By: Representative Cook  
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8 **For An Act To Be Entitled**

9 AN ACT TO CLARIFY THAT A SCHOOL DISTRICT MAY USE  
10 NATIONAL SCHOOL LUNCH STUDENT FUNDING FOR  
11 TEACHERS' SALARIES IF THE SCHOOL DISTRICT MEETS  
12 THE MINIMUM SALARY SCHEDULE OR THE TEACHER IS  
13 PROVIDING SERVICES UNDER AN APPROVED PROGRAM OR  
14 FOR AN APPROVED PURPOSE; AND FOR OTHER PURPOSES.  
15

16 **Subtitle**

17 AN ACT TO CLARIFY THAT A SCHOOL DISTRICT  
18 MAY USE NATIONAL SCHOOL LUNCH STUDENT  
19 FUNDING FOR TEACHERS' SALARIES IF THE  
20 SCHOOL DISTRICT MEETS THE MINIMUM SALARY  
21 SCHEDULE.  
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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 § 6-20-2305(b)(4)(C)(i), concerning public  
27 school funding for national school lunch students, is amended to read as  
28 follows:

29 (C)(i) The State Board of Education shall establish by rule  
30 a list of approved programs and purposes for which funds allocated under this  
31 subdivision (b)(4) may be expended.

32 (ii) Through June 30, 2007, the State Board of  
33 Education shall approve the use of funds by a school district to supplement  
34 salaries for classroom teachers only under the following conditions:

35 (a) The school district meets the minimum teacher  
36 salary schedule in § 6-17-2403 without using funds provided under subdivision



1 (b)(4) of this section; and

2 (b) The school district is permitted to use funds  
3 provided under subdivision (b)(4) of this section to supplement salaries for  
4 classroom teachers only to the extent the school district was using funds  
5 provided under subdivision (b)(4) of this section to supplement salaries for  
6 classroom teacher as of January 1, 2006.

7 (iii) School districts shall expend funds allocated  
8 under this subdivision (b)(4) only on the approved programs or purposes on  
9 the State Board of Education's list of approved programs and purposes for  
10 which funds allocated under this subdivision (b)(4) may be expended, which  
11 shall include, but are not limited to:

12 (a) Classroom teachers, provided that the  
13 school district meets the minimum salary schedule in § 6-17-2403 without  
14 using funds provided under subdivision (b)(4) of this section and that those  
15 teachers are used for the purposes delineated in subdivision (b)(4) of this  
16 section and as allowed through June 30, 2007 under subdivision (b)(4)(C)(ii)  
17 to supplement salaries of classroom teachers;

18 (b) Before-school academic programs and after-  
19 school academic programs, including transportation to and from the programs;

20 (c) Prekindergarten programs coordinated by  
21 the Department of Health and Human Services;

22 (d) Tutors, teachers' aides, counselors,  
23 social workers, nurses, and curriculum specialists;

24 (e) Parent education;

25 (f) Summer programs;

26 (g) Early intervention programs; and

27 (h) Materials, supplies, and equipment,  
28 including technology used in approved programs or for approved purposes.

29  
30 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
31 General Assembly of the State of Arkansas that the Arkansas Supreme Court  
32 found that the public school funding system continues to be inadequate and  
33 the public schools are operating under a constitutional infirmity which must  
34 be corrected immediately; that to correct the constitutional infirmity and to  
35 provide adequate funding for public education, the amount of funding provided  
36 to school districts shall be revised; and that this act is necessary to allow

1 the Department of Education and the Chief Fiscal Officer of the State  
2 sufficient time to make all necessary adjustments, calculations, and  
3 distributions. Therefore, an emergency is declared to exist and this act  
4 being necessary for the preservation of the public peace, health, and safety  
5 shall become effective on:

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

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13 */s/ Cook*  
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