

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.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/16/07

A Bill

HOUSE BILL 2255

5 By: Representative Cook
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 6-20-2305 TO
10 PROVIDE FLEXIBILITY IN NATIONAL SCHOOL LUNCH
11 STUDENT CATEGORICAL FUNDING TO PUBLIC SCHOOL
12 DISTRICTS; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT TO AMEND ARKANSAS CODE § 6-20-
16 2305 TO PROVIDE FLEXILIBITY IN NATIONAL
17 SCHOOL LUNCH STUDENT CATEGORICAL FUNDING
18 TO PUBLIC SCHOOL DISTRICTS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 6-20-2305(b)(1), concerning funding for*
24 *additional categories, is amended to read as follows:*

25 *(b)(1) In addition to state foundation funding aid, each school*
26 *district shall receive funding for additional education categories as*
27 *provided in subdivisions (b)(2)-~~(6)~~(5) of this section.*
28

29 *SECTION 2. Arkansas Code § 6-20-2305(b)(4)(C), concerning the use of*
30 *national school lunch student funding, is amended to read as follows:*

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

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



1 ~~(1) The school district meets the minimum teacher salary schedule~~
 2 ~~in § 6-17-2403 without using funds provided under this subdivision (b)(4);~~
 3 ~~and~~

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

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

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

20 (2) Before-school academic programs and after-school academic
 21 programs, including transportation to and from the programs;

22 (3) Prekindergarten programs coordinated by the Department of
 23 Health and Human Services;

24 (4) Tutors, teachers' aides, counselors, social workers, nurses,
 25 and curriculum specialists;

26 (5) Parent education;

27 (6) Summer programs;

28 (7) Early intervention programs; and

29 (8) Materials, supplies, and equipment, including technology used
 30 in approved programs or for approved purposes.

31 (ii) School districts that have met the needs of
 32 students for whom the funding is provided for additional educational
 33 categories under subsection (b) of this section and that have excess national
 34 school lunch student categorical funds provided under this subdivision (b)(4)
 35 may use the excess national school lunch student categorical funds to
 36 supplement all classroom teacher salaries under the following conditions:

1 (a) The school district shall not use any
2 portion of the national school lunch student categorical funds that are carry
3 forward or reserve funds to supplement classroom teacher salaries;

4 (b) The school district shall meet the minimum
5 teacher salary schedule under § 6-17-2403 without using national school lunch
6 student categorical funds;

7 (c) The school district shall comply with the
8 Standards for Accreditation of Arkansas Public Schools established under The
9 Quality Education Act of 2003, § 6-15-201 et seq. and the Arkansas Fiscal
10 Assessment and Accountability Program under § 6-20-1901 et seq. without using
11 national school lunch student categorical funds; and

12 (d) The school district shall agree that it
13 shall not allocate or use any excess national school lunch student
14 categorical funds in any manner except as a bonus to the salary of classroom
15 teachers.

16 (iii) The school district shall include with its
17 comprehensive school improvement plan a written detailed statement concerning
18 how the school district will use its excess national school lunch categorical
19 funds each school year and explaining in detail the amount of funds and
20 percent of total funds to be used to supplement all classroom teacher
21 salaries as allowed in subdivision (b)(4)(C)(ii) of this section.

22 (iv)(a) Upon review of the school district's
23 comprehensive school improvement plan, if the Commissioner of Education
24 determines that the school district has met the needs of students in the
25 school district for whom the funding for additional educational categories
26 under subsection (b) of this section is provided, has met the requirements of
27 subdivisions (b)(4)(C)(ii) and (iii) of this section, and has prudently
28 managed its resources, the commissioner shall give written approval of the
29 detailed planned flexible use of excess national school lunch student
30 categorical funds provided to the school district.

31 (b) The school district shall not use its
32 excess national school lunch categorical funds for classroom teacher salaries
33 as provided in subdivision (b)(4)(C)(ii) of this section unless:

34 (1) The commissioner provides the
35 written approval required under subdivision (b)(4)(C)(iv)(a) of this section;
36 and

1 (2) Funds allocated under this
2 subdivision (b)(4) are available.

3 (v)(a) The excess national school lunch student
4 categorical funds used to supplement the salary of a classroom teacher shall
5 only be used as a nonrecurring bonus to a classroom teacher's salary for any
6 given school year and shall not be considered a permanent obligation under
7 the school district's teacher salary schedule or as contract obligations of
8 any classroom teacher or employee of the school district.

9 (b) Each teacher contract with the school
10 district shall contain a statement that recites subdivision (b)(4)(C)(v)(a).

11 ~~(ii)(vi)~~ Notwithstanding
12 any other provision of law, if the Department of Education determines that a
13 school district's expenditure of funds allocated under this subdivision
14 (b)(4) would result in the school district's losing funding under any federal
15 law, then the funds allocated to a school district under this subdivision
16 (b)(4) may be expended for other academic programs or salaries.

17 ~~(iii)(vii)~~ The Department of Education may direct
18 that a school district expend available funds on specified programs under
19 subdivision (b)(4)(C)(i) of this section.

20 (viii)(a) By the end of each school year, each
21 school district shall submit to the Department of Education a report listing
22 each program upon which funds allocated under this subdivision (b)(4) were
23 expended, the amount expended, and any other information required by the
24 Department of Education on the use of funds allocated under this subdivision
25 (b)(4).

26 (b) The Department of Education shall develop
27 appropriate reporting forms for use by school districts to comply with
28 subdivision (b)(4)(C)(viii) of this section.

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30 /s/ Cook
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