

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 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 2064

4  
5 By: Representative Abernathy  
6 By: Senator J. Jeffress

## For An Act To Be Entitled

10 AN ACT TO PROVIDE STATE RESOURCES FOR EDUCATIONAL  
11 ADEQUACY BY AMENDING THE AMOUNT OF FUNDING FOR  
12 PUBLIC SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

### Subtitle

15 TO PROVIDE STATE RESOURCES FOR  
16 EDUCATIONAL ADEQUACY BY AMENDING THE  
17 AMOUNT OF FUNDING FOR PUBLIC SCHOOL  
18 DISTRICTS.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23 SECTION 1. Arkansas Code § 6-20-2305(a)(2), concerning state aid for  
24 public school funding, is amended to read as follows:

25 (2)(A) For the ~~2007-2008~~ 2009-2010 school year, the foundation  
26 funding amount is equal to ~~five thousand seven hundred nineteen dollars~~  
27 ~~(\$5,719)~~ five thousand nine hundred seventeen dollars (\$5,917) multiplied by  
28 the school district's average daily membership for the previous school year.

29 (B) For the ~~2008-2009~~ 2010-2011 school year, the  
30 foundation funding amount is equal to ~~five thousand seven hundred eighty-nine~~  
31 ~~dollars (\$5,789)~~ six thousand forty-nine dollars (\$6,049) multiplied by the  
32 school district's average daily membership for the previous school year.

33 (C)(i) In accordance with the state's desire to foster  
34 educational excellence, in addition to the amounts determined by the General  
35 Assembly to be constitutionally adequate pursuant to subdivisions under  
36 subdivision (a)(2)(A) and ~~(B)~~, as applicable, subdivision (a)(2)(b) of this



1 section, and in addition to the funds distributed to school districts  
 2 pursuant to subdivisions (a)(2)(A) and (B) of this section+.

3 ~~(a) For the 2007-2008 school year, fifty-one~~  
 4 ~~dollars (\$51.00) each school district shall receive an amount equal to~~  
 5 thirty-five dollars (\$35.00) multiplied by the school district's average  
 6 daily membership for the previous school year; ~~and~~

7 ~~(b) For the 2008-2009 school year, an~~  
 8 ~~additional thirty-six dollars (\$36.00) multiplied by the school district's~~  
 9 ~~average daily membership for the previous school year, which when added to~~  
 10 ~~the funding under subdivision (a)(2)(C)(i)(a) of this section represents an~~  
 11 ~~approximate total for the 2008-2009 school year of eighty-seven dollars~~  
 12 ~~(\$87.00) per average daily membership.~~

13 (ii) The Department of Education shall distribute  
 14 the additional funding provided by this subdivision (a)(2)(C)+

15 ~~(a) Shall be distributed by the Department of~~  
 16 ~~Education in eleven (11) monthly payments from funds appropriated by law and~~  
 17 ~~available for distribution as state foundation funding aid; and~~

18 ~~(b) (iii) Shall be known as "Enhanced~~  
 19 ~~Educational Funding". The General Assembly has determined that Enhanced~~  
 20 ~~Educational Funding the funding provided by this subdivision (a)(2)(C), which~~  
 21 is known as "Enhanced Educational Funding", is in addition to, and in excess  
 22 of, the amount of funds necessary to provide an adequate education as  
 23 required by the Arkansas Constitution.

24 (iv) The Enhanced Educational Funding is available  
 25 from a combination of fortunate economic factors, conservative budgeting of  
 26 all state government, and the favorable forecast of state revenues. As a  
 27 result, the enhanced component of Enhanced Educational Funding cannot be  
 28 ensured and may not be relied on beyond the 2007-2009 biennium 2009-2010  
 29 school year.

30  
 31 SECTION 2. Arkansas Code § 6-20-2305(b)(2)(A)(i), concerning state  
 32 categorical funding for alternative learning environments, is amended to read  
 33 as follows:

34 (2)(A)(i) Beginning with the ~~2007-2008~~ 2009-2010 school year,  
 35 alternative learning environment funding shall be ~~four thousand sixty-three~~  
 36 ~~dollars (\$4,063)~~ four thousand one hundred seventy-seven dollars (\$4,177)

1 multiplied by the number of identified alternative learning environment  
 2 students enrolled during the previous school year.

3  
 4 SECTION 3. Arkansas Code §6-20-2305(b)(3)(A), concerning state  
 5 categorical funding for English language learners, is amended to read as  
 6 follows:

7 (3)(A) Beginning with the ~~2007-2008~~ 2009-2010 school year,  
 8 funding for students who are identified as English-language learners shall be  
 9 ~~two hundred ninety three dollars (\$293)~~ three hundred one dollars (\$301) for  
 10 each identified English-language learner.

11  
 12 SECTION 4. Arkansas Code § 6-20-2305(b)(4)(A), concerning tate  
 13 categorical funding for national school lunch students, is amended to read as  
 14 follows:

15 (4)(A) Beginning with the ~~2007-2008~~ 2009-2010 school year,  
 16 national school lunch student state categorical funding for each identified  
 17 national school lunch student shall be as follows:

18 (i) For a school district in which ninety percent  
 19 (90%) or greater of the previous school year's enrolled students are national  
 20 school lunch students, funding shall be ~~one thousand four hundred eighty-~~  
 21 ~~eight dollars (\$1,488)~~ one thousand five hundred thirty dollars (\$1,530);

22 (ii) For school districts in which at least seventy  
 23 percent (70%) but less than ninety percent (90%) of the previous school  
 24 year's enrolled students are national school lunch students, funding shall be  
 25 ~~nine hundred ninety two dollars (\$992)~~ one thousand twenty dollars (\$1,020);  
 26 and

27 (iii) For school districts in which less than  
 28 seventy percent (70%) of the previous school year's enrolled students are  
 29 national school lunch students, funding shall be ~~four hundred ninety-six~~  
 30 ~~dollars (\$496)~~ five hundred ten dollars (\$510).

31  
 32 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the  
 33 General Assembly of the State of Arkansas that the 2008 Report on Legislative  
 34 Hearings for the 2008 Interim Study on Educational Adequacy of the House  
 35 Interim Committee on Education and the Senate Interim Committee on Education  
 36 recommended that foundation funding and categorical funding be increased for

1 the 2009-2010 and 2010-2011 school years; and that this act is immediately  
2 necessary to ensure that public school districts receive adequate foundation  
3 funding for the 2009-2010 school year. Therefore, an emergency is declared  
4 to exist and this act being immediately necessary for the preservation of the  
5 public peace, health, and safety shall become effective on July 1, 2009.

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