

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

SENATE BILL 740

4
5 By: Senator Laverty
6
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For An Act To Be Entitled

8
9 AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
10 RELATING TO FUNDING FOR ISOLATED SCHOOLS; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13
14 TO AMEND PROVISIONS OF THE ARKANSAS CODE
15 RELATING TO FUNDING FOR ISOLATED
16 SCHOOLS.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 6-20-603(i), concerning the funding for
22 isolated schools, is amended to read as follows:

23 (i)(1) Except as provided under § 6-20-604(g), A a school district
24 eligible to receive isolated funding under this section shall continue to
25 receive partial funding even if all or part of an isolated school is closed.

26 (2) If all or part of an isolated school in a school district is
27 closed, the school district shall receive funding based on the prior year's
28 three-quarter average daily membership of the isolated school or the part of
29 the isolated school that remains open.

30 ~~(3) The school district shall not receive funding under this~~
31 ~~subsection (i) if the closure is directed by the school district board of~~
32 ~~directors.~~
33

34 SECTION 2. Arkansas Code § 6-20-604(c)(1), concerning eligibility of
35 an isolated school for special needs funding, is amended to read as follows:

36 (1) School facilities ~~open for~~ open for serving students in any grade in



1 kindergarten through grade twelve (K-12), in ~~two (2)~~ one (1) or more isolated
 2 schools meeting the requirements of subsection (b) of this section;

3
 4 SECTION 3. Arkansas Code § 6-20-604(g)-(h), concerning certain special
 5 needs funding for isolated schools are amended to read as follows:

6 ~~(g)(1) A school district eligible for special needs funding under this~~
 7 ~~section shall continue to be eligible to receive isolated school funding~~
 8 ~~provided under § 6-20-603 but shall only receive funding under one (1) of the~~
 9 ~~categories established under subsections (e)-(f) of this section~~ When an
 10 isolated school that receives funding under § 6-20-603(c)-(f) or under this
 11 section is closed due to the affected school district's consolidation or
 12 annexation, that funding shall continue and shall be paid to the receiving
 13 school district in the consolidation or annexation that enrolls students from
 14 the closed isolated school.

15 (2) The receiving school district may only use funds received
 16 under this subsection (g) for the cost of transporting students previously
 17 enrolled in the closed isolated school.

18 (h)(1) This section is contingent on the appropriation and
 19 availability of funding for its purposes.

20 ~~(2)(A) Undistributed funds under this section and § 6-20-603~~
 21 ~~allocated to a school district that is no longer eligible to receive the~~
 22 ~~funding shall be distributed on an equal basis per school district to each~~
 23 ~~remaining school district that is eligible to receive funds under subsections~~
 24 ~~(e)-(e) of this section.~~

25 ~~(B) Funds distributed under subdivision (h)(2)(A) of this~~
 26 ~~section shall be used by the school district only for transportation costs of~~
 27 ~~the isolated schools in the school district.~~

28 ~~(3)(2)~~ (2) Funding provided under this section is in addition
 29 to and in excess of the amount of funds necessary to provide an adequate
 30 education as required by the Arkansas Constitution and cannot be relied upon
 31 beyond the ~~2007-2009 biennium~~ expiration date of an appropriation made for
 32 the purposes of this section.

33
 34 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
 35 Assembly of the State of Arkansas that school districts that enroll students
 36 in an isolated school or from a closed isolated school need funding for the

1 transportation of those students to and from the isolated area; that some
2 school districts may lose isolated school funding when an isolated school is
3 closed but continue to have the additional transportation costs; that the
4 loss of the funding may place a hardship on the school district involved; and
5 that this act is immediately necessary because school districts affected by
6 this act and the Department of Education need to resolve the funding issues
7 under this act before the beginning of the 2009-2010 school year. Therefore,
8 an emergency is declared to exist and this act being immediately necessary
9 for the preservation of the public peace, health, and safety shall become
10 effective on:

11 (1) The date of its approval by the Governor;

12 (2) If the bill is neither approved nor vetoed by the Governor,
13 the expiration of the period of time during which the Governor may veto the
14 bill; or

15 (3) If the bill is vetoed by the Governor and the veto is
16 overridden, the date the last house overrides the veto.

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