

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H3/14/11

# A Bill

HOUSE BILL 1901

5 By: Representative Ingram  
6 By: Senator Files  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND PUBLIC SCHOOL FUNDING AMOUNTS; TO  
10 PROVIDE RESOURCES FOR EDUCATIONAL *ADEQUACY*; TO  
11 *DECLARE AN EMERGENCY*; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 *TO AMEND PUBLIC SCHOOL FUNDING AMOUNTS*  
16 *AND PROVIDE RESOURCES FOR EDUCATIONAL*  
17 *ADEQUACY AND TO DECLARE AN EMERGENCY.*  
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19

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

22 *SECTION 1. Arkansas Code § 6-20-2305(a)(2), concerning public school*  
23 *funding amounts, is amended to read as follows:*

24 *(2)(A) For the ~~2009-2010~~ 2011-2012 school year, the foundation*  
25 *funding amount is equal to ~~five thousand nine hundred five dollars (\$5,905)~~*  
26 *six thousand one hundred forty-four dollars (\$6,144) multiplied by the school*  
27 *district's average daily membership for the previous school year.*

28 *(B) For the ~~2010-2011~~ 2012-2013 school year, the*  
29 *foundation funding amount is equal to ~~six thousand twenty-three dollars~~*  
30 *~~(\$6,023)~~ six thousand two hundred sixty-seven dollars (\$6,267) multiplied by*  
31 *the school district's average daily membership for the previous school year.*

32 *~~(C)(i) In accordance with the state's desire to foster~~*  
33 *~~educational excellence, in addition to the amounts determined by the General~~*  
34 *~~Assembly to be constitutionally adequate pursuant to subdivisions (a)(2)(A)~~*  
35 *~~and (B) of this section, and in addition to the funds distributed to school~~*  
36 *~~districts pursuant to subdivisions (a)(2)(A) and (B) of this section, each~~*



1 ~~school district shall receive an amount equal to thirty five dollars (\$35.00)~~  
2 ~~multiplied by the school district's average daily membership for the previous~~  
3 ~~school year.~~

4 ~~(ii) The Department of Education shall distribute~~  
5 ~~the additional funding provided by this subdivision (a)(2)(C) in eleven (11)~~  
6 ~~monthly payments from funds appropriated by law and available for~~  
7 ~~distribution as state foundation funding aid.~~

8 ~~(iii) The General Assembly has determined that the~~  
9 ~~funding provided by this subdivision (a)(2)(C), which is known as "Enhanced~~  
10 ~~Educational Funding", is in addition to, and in excess of, the amount of~~  
11 ~~funds necessary to provide an adequate education as required by the Arkansas~~  
12 ~~Constitution.~~

13 ~~(iv) Enhanced Educational Funding is available from~~  
14 ~~a combination of fortunate economic factors, conservative budgeting of all~~  
15 ~~state government, and the favorable forecast of state revenues. As a result,~~  
16 ~~the enhanced component of Enhanced Educational Funding cannot be ensured and~~  
17 ~~may not be relied on beyond the 2009-2010 school year.~~

18  
19 SECTION 2. Arkansas Code § 6-20-2305(b)(2) through (b)(4)(B)(ii)(a),  
20 concerning categorical funding for public schools, is amended to read as  
21 follows:

22 (2)(A)(i) ~~Beginning with the 2007-2008~~ For the 2011-2012 school  
23 year, alternative learning environment funding shall be ~~four thousand sixty-~~  
24 ~~three dollars (\$4,063)~~ four thousand one hundred forty-five dollars (\$4,145)  
25 multiplied by the number of identified alternative learning environment  
26 students enrolled during the previous school year.

27 (ii) For the 2012-2013 school year and each school  
28 year thereafter, alternative learning environment funding shall be four  
29 thousand two hundred twenty-eight dollars (\$4,228) multiplied by the number  
30 of identified alternative learning environment students enrolled during the  
31 previous school year.

32 (iii) Funding for students in alternative learning  
33 environments shall be distributed based on rules promulgated by the State  
34 Board of Education.

35 (B)(i) Beginning with the 2007-2008 school year, secondary  
36 vocational area center funding shall be three thousand two hundred fifty

1 dollars (\$3,250) multiplied by the number of students enrolled in a secondary  
2 vocational area center during the previous school year.

3 (ii) Funding for students in secondary vocational  
4 area centers shall be distributed based on rules promulgated by the State  
5 Board of Career Education.

6 (3)(A) ~~Beginning with the 2007-2008~~ For the 2011-2012 school  
7 year, funding for students who are identified as English-language learners  
8 shall be ~~two hundred ninety-three dollars (\$293)~~ two hundred ninety-nine  
9 dollars (\$299) for each identified English-language learner.

10 (B) For the 2012-2013 school year and each school year  
11 thereafter, funding for students who are identified as English-language  
12 learners shall be three hundred five dollars (\$305) for each identified  
13 English-language learner.

14 (C) Funding for English-language learners shall be  
15 distributed to school districts for students who have been identified as not  
16 proficient in the English language based upon a state-approved English  
17 proficiency assessment instrument.

18 ~~(G)~~(D) Funds allocated for English-language learners to  
19 school districts under this subchapter shall be expended only for eligible  
20 activities as identified in current rules promulgated by the State Board of  
21 Education and are a supplement to funding for national school lunch students  
22 provided in subdivision (b)(4) of this section.

23 (4)(A) ~~Beginning with the 2009-2010~~ For the 2011-2012 school  
24 year, national school lunch state categorical funding for each identified  
25 national school lunch student shall be as follows:

26 (i) For a school district in which ninety percent  
27 (90%) or greater of the previous school year's enrolled students are national  
28 school lunch students, the amount of per-student national school lunch state  
29 categorical funding shall be ~~one thousand four hundred eighty-eight dollars~~  
30 ~~(\$1,488)~~ one thousand five hundred eighteen dollars (\$1,518) for the 2011-  
31 2012 school year, and one thousand five hundred forty-nine dollars (\$1,549)  
32 for the 2012-2013 school year and for each school year thereafter;

33 (ii) For school districts in which at least seventy  
34 percent (70%) but less than ninety percent (90%) of the previous school  
35 year's enrolled students are national school lunch students, the amount of  
36 per-student national school lunch state categorical funding shall be ~~nine~~

1 ~~hundred ninety two dollars (\$992)~~ one thousand twelve dollars (\$1,012) for  
2 the 2011-2012 school year, and one thousand thirty-three dollars (\$1,033) for  
3 the 2012-2013 school year and for each school year thereafter; and

4 (iii) For school districts in which less than  
5 seventy percent (70%) of the previous school year's enrolled students are  
6 national school lunch students, the amount of per student national school  
7 lunch state categorical funding shall be ~~four hundred ninety six dollars~~  
8 ~~(\$496)~~ five hundred six dollars (\$506) for the 2011-2012 school year, and  
9 five hundred seventeen dollars (\$517) for the 2012-2013 school year and each  
10 school year thereafter.

11 (B)(i)(a) National school lunch state categorical funding  
12 under this subdivision (b)(4) shall be based on the number of national school  
13 lunch students for the immediately preceding school year determined under §  
14 6-20-2303(12)(A).

15 (b) If the school district is participating  
16 under 42 U.S.C. § 1759a, funding under this subdivision (b)(4) is based on  
17 the percentage determined in § 6-20-2303(12)(B) multiplied by the number of  
18 enrolled students for the immediately preceding school year.

19 (ii)(a) ~~Beginning with the 2009-2010 school year, if~~  
20 If a school district will receive in the current school year national school  
21 lunch state categorical funding under subdivision (b)(4)(A) of this section  
22 that is based on a different per-student amount of national school lunch  
23 state categorical funding than the school district received in the  
24 immediately preceding school year, due to a percentage change in national  
25 school lunch students, the department shall adjust the funding to the school  
26 district in a transitional three-year period.

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28 SECTION 3. Arkansas Code § 6-20-2305(b)(5), concerning categorical  
29 funding for professional development in public schools, is amended to read as  
30 follows:

31 (5)(A) ~~Beginning with school year 2007-2008~~ For the 2011-2012  
32 school year, professional development funding shall be equal to an amount of  
33 up to ~~fifty dollars (\$50.00)~~ fifty-one dollars (\$51.00) multiplied by the  
34 school district's previous school year average daily membership.

35 (B) For the 2012-2013 school year and each school year  
36 thereafter, professional development funding shall be equal to an amount of

1 up to fifty-two dollars (\$52.00) multiplied by the school district's previous  
2 school year average daily membership.

3 (C) Funding for professional development for teachers in  
4 Arkansas public schools shall be used for professional development activities  
5 and materials that improve the knowledge of teachers, administrators, and  
6 paraprofessionals concerning effective instructional strategies, methods, and  
7 skills for improving teaching practices and student academic achievement and  
8 training for school bus drivers as outlined in rules promulgated by the State  
9 Board of Education.

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11 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the  
12 General Assembly of the State of Arkansas that it is the state's  
13 constitutional obligation to provide a general, suitable, and efficient free  
14 system of public schools in the state; that the public school funding  
15 distribution changes in this act are needed to ensure that proper funding is  
16 provided to public schools and school districts; and that this act is  
17 immediately necessary so that public schools and school districts will  
18 receive the amount of funding provided under this act for the 2011-2012  
19 school year. Therefore, an emergency is declared to exist and this act being  
20 immediately necessary for the preservation of the public peace, health, and  
21 safety shall become effective on July 1, 2011.

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23 /s/Ingram  
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