1	State of Arkansas	As Engrossed: H3/14/11	
2	88th General Assembly	A Bill	
3	Regular Session, 2011		HOUSE BILL 1910
4			
5	By: Representative Pierce		
6			
7		For An Act To Be Entitle	ed
8	AN ACT TO	AMEND THE REQUIREMENTS RELAT	ED TO PUBLIC
9	SCHOOL CA	TEGORICAL FUNDING; AND FOR OT	HER PURPOSES.
10			
11			
12		Subtitle	
13	TO A	AMEND THE REQUIREMENTS RELATED) TO
14	PUBI	LIC SCHOOL CATEGORICAL FUNDING	· ·
15			
16			
17	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE	OF ARKANSAS:
18			
19	SECTION 1. Ark	ansas Code § 6-20-2305 (b)(4)	(C)(i)(b), concerning
20	national school lunch state categorical funding, is amended to add additional		
21	subdivisions to read	as follows:	
22		<u>(9) Federal c</u>	hild nutrition programs, to
23	the extent necessary	to provide school meals witho	out charge to all students
24	<u>under the United Stat</u>	es Department of Agriculture	Special Assistance
25	<u>Alternative</u> "Provisio	on 2" program under 42 U.S.C.	§ 1759a, as it exists on
26	<u>July 1, 2011;</u>		
27		<u>(10) Federal</u>	child nutrition programs,
28	<u>to the extent necessa</u>	ary to provide school meals wi	thout charge to students
29	otherwise eligible for reduced-price meals under the United States Department		
30	<u>of Agriculture's Nati</u>	onal School Lunch Program or	<u>School Breakfast Program;</u>
31		<u>(11) Expenses</u>	directly related to
32	<u>funding a longer scho</u>	ool day;	
33		<u>(12) Expenses</u>	directly related to
34	<u>funding a longer scho</u>	ool year;	
35		<u>(13) Partneri</u>	ng with local institutions
36	<u>of higher education t</u>	o remediate students while th	ose students are still in



.

1	high school so that the students are college and career ready upon graduation		
2	<u>from high school;</u>		
3	(14) Teach For America professional		
4	development;		
5	(15) Implementing components of the		
6	Arkansas Advanced Initiative for Math and Science; and		
7	(16) College and Career Coaches, as		
8	administered by the Department of Career Education.		
9			
10	SECTION 2. Arkansas Code § 6-20-2305(b)(4)(C)(ix)(b)(1), concerning		
11	national school lunch state categorical funding, is amended to read as		
12	follows:		
13	(1) A school district shall reduce each		
14	current school year by twenty percent (20%) the amount of national school		
15	lunch student categorical funds received and used <u>in the prior school year</u> by		
16	the school district as a supplement to classroom teacher salaries and shall		
17	continue this reduction in the application of national school lunch student		
18	categorical funds as a supplement to classroom teacher salaries until the		
19	school district has no more than twenty percent (20%) of the total of any		
20	current year of all national school lunch student categorical funds received		
21	by a school district applied and used as a supplement to classroom teacher		
22	salaries for a current school year;		
23			
24	SECTION 3. Arkansas Code § 6-20-2305(b)(4), concerning national school		
25	lunch state categorical funding, is amended to add an additional subdivision		
26	to read as follows:		
27	(F)(i) By June 30, 2012, and by June 30 of each year		
28	thereafter, a school district shall spend a minimum of eighty-five percent		
29	(85%) of the school district's annual national school lunch state categorical		
30	funding allocation as provided under subdivision (b)(4)(C) of this section.		
31	(ii) A school district that on June 30, 2012, has a		
32	national school lunch state categorical funding balance in excess of fifteen		
33	percent (15%) of the school district's current year annual national school		
34	lunch state categorical funding allocation shall reduce its total national		
35	school lunch state categorical funding balance by at least ten percent (10%)		
36	each year so that by June 30, 2022, and by June 30 of each year thereafter,		

2

03-04-2011 13:40:31 CLR176

As Engrossed: H3/14/11

1	the school district has a belonge of no more than fifteen percent (15%) of		
1 2	the school district has a balance of no more than fifteen percent (15%) of the school district's current year annual national school lunch state		
2	categorical funding allocation.		
4	(iii)(a) Under an unusual and limited circumstance,		
5	including without limitation an increase in one-time funds or an unexpected		
6	decrease in school district revenues during a given year, a school district		
7	may request that the Department of Education waive the requirements of this		
8	subdivision (b)(4)(F).		
9	(b) A school district seeking a waiver shall		
10	file a waiver request with the Commissioner of Education, accompanied by a		
11	resolution adopted by the school district's board of directors, describing		
12	the unusual and limited circumstances.		
13	<u>(iv) The commissioner may grant a waiver request</u>		
14	under this subdivision (b)(4)(F) for up to one (1) year if the commissioner		
15	finds that the request is necessary based upon the unusual and limited		
16	<u>circumstances.</u>		
17	(v)(a) The department shall monitor on a yearly		
18	basis each school district's compliance with the requirements of this		
19	subdivision (b)(4)(F).		
20	(b) If a school district fails to comply with		
21	the requirements of this subdivision (b)(4)(F) during a school year, the		
22	department may in the following school year withhold from that school		
23	district's national school lunch state categorical funding allocation an		
24	amount equal to the amount required to be spent by the school district in		
25	order to be in compliance with the requirements of this subdivision		
26	<u>(b)(4)(F).</u>		
27	<u>(c) The department may redistribute amounts</u>		
28	withheld under this subdivision (b)(4)(F) to other school districts entitled		
29	to receive national school lunch state categorical funding allocations.		
30			
31	SECTION 4. Arkansas Code § 6-20-2305(e), concerning state categorical		
32	funding for public schools, is amended to read as follows:		
33	(e) <u>(1)</u> Funds distributed to school districts under subsection (b) of		
34	this section shall be expended on:		
	this section shall be expended on:		
35	$\frac{(1)}{(A)}$ The students within each category of special needs		

03-04-2011 13:40:31 CLR176

3

1	(2)(B) Any students within any category of special needs
2	under subsection (b) of this section as permitted by rules issued by the
3	State Board of Education; or
4	(3)(C) If the Department of Education determines that a
5	school district's expenditure of funds allocated under subsection (b) of this
6	section would result in the school district's losing funding under any
7	federal law, then the funds allocated to a school district under subsection
8	(b) of this section may be expended for other academic programs or salaries
9	as permitted by the Department of Education.
10	(2) On June 30, 2012, and on June 30 of each school year
11	thereafter, if the total aggregate balance of all state categorical fund
12	sources exceeds twenty percent (20%) of the school district's total aggregate
13	annual state categorical fund allocations for the current school year, the
14	school district shall reduce the total balance by ten percent (10%) each year
15	until the school district's June 30 balance of aggregate annual categorical
16	fund sources is twenty percent (20%) or less of the total aggregate annual
17	state categorical fund allocations for the current school year.
18	(3) A school district may transfer funds received from any
19	categorical fund source to another categorical fund source.
20	(4)(A) The department shall monitor on a yearly basis each school
21	district's compliance with the requirements of this subsection.
22	(B) If a school district fails to comply with the
23	requirements of this subsection during a school year, the department may in
24	the following school year withhold from that school district's categorical
25	funding allocation an amount equal to the amount required to be spent by the
26	school district in order to be in compliance with the requirements of this
27	subsection.
28	(C) The department may redistribute amounts withheld under
29	this subsection to other school districts entitled to receive categorical
30	funding allocations.
31	
32	/s/Pierce
33	
34	
35	
36	

4