For An Act To Be Entitled

AN ACT TO PROVIDE ONE-HALF OF PER-STUDENT FUNDING TO A RESIDENT SCHOOL DISTRICT FOR A STUDENT WHO IS A HOME-SCHOOLED STUDENT OR IS ENROLLED IN A PRIVATE ELEMENTARY OR SECONDARY SCHOOL AND ONE-HALF TO THE STUDENT; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE ONE-HALF OF PER-STUDENT FUNDING TO A RESIDENT SCHOOL DISTRICT FOR A STUDENT WHO IS A HOME-SCHOOLED STUDENT OR IS ENROLLED IN A PRIVATE ELEMENTARY OR SECONDARY SCHOOL AND ONE-HALF TO THE STUDENT.

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

SECTION 1. Arkansas Code Title 6, Chapter 20 is amended to add an additional subchapter to read as follows:

6-20-2701. Definitions.

As used in this subchapter:

(1) "Eligible student" means a child who:

(A) Is within the legal age requirements for enrollment in a public school in this state;

(B) Has been an Arkansas resident or whose parent has been an Arkansas resident for at least the twelve (12) months before the date of
an application for funding under this subchapter;

    (C) Successfully completed an entire school year as a home-schooled or private school student; and

    (D) Meets other requirements for eligibility under this subchapter;

    (2) "Parent" means the parent, legal guardian, or person having custody or care of a student; and

    (3) "State-mandated benchmark exam" means a statewide assessment of elementary and secondary student achievement required by state law and administered through the Department of Education.

6-20-2702. Application.
    (a)(1) Beginning July 1, 2012, the parent of an eligible student may apply for funding under this subchapter.

    (2) The application form and process shall be prescribed by rules of the State Board of Education.

    (b) The parent shall submit with the application evidence satisfactory to the Department of Education of the eligible student's successful completion of the school year immediately preceding the date of the application, including without limitation that:

        (1) With respect to a home-schooled student:

            (A)(i) The student was home-schooled for the entire school year.

            (ii) The department may request evidence of educational expenditures the parent incurred in the immediately preceding school year for home-schooling the student;

            (B) The parent met all requirements for home-schooling under § 6-15-501 et seq.; and

            (C) If the student was required to take a state-mandated benchmark exam, the student scored proficient or above on the state-mandated benchmark exam; or

        (2) With respect to a private school student, the student completed the school year at the private school at grade level.

6-20-2703. Funding.
    (a) Subject to subsection (c) of this section, the Department of
Education shall pay to the parent of an eligible student an amount equal to one-half \((1/2)\) of the foundation funding amount set by the General Assembly in § 6-20-2305 for the school year upon which the parent's application is based.

(b) A parent shall only use the funding provided under this subchapter for:

(1) Academic expenditures for home-schooling of the student; or
(2) Private school tuition and books.

(c)(1) The department shall provide the funding under this section from the Department of Education Public School Fund under § 19-5-305 subject to the:

(1) Appropriation of funds from general revenues of the state to the department for this purpose; and
(2) Availability of funding.

SECTION 2. Arkansas Code § 6-20-2303(3)(C), concerning the definition of average daily membership as used in the Public School Funding Act of 2003, is amended add an additional subdivision to read as follows:

(C) As applied to this subchapter, students who may be counted for average daily membership are:

(i) Students who:

(a) Reside within the boundaries of the school district;
(b) Are enrolled in a public school operated by the school district; and
(c) Are enrolled in a curriculum that fulfills the requirements established by the state board under the Standards for Accreditation of Arkansas Public Schools and School Districts;

(ii) Legally transferred students living outside the school district but are:

(a) Attending a public school in the school district under a provision of the Arkansas Code; and
(b) Are enrolled in a curriculum that fulfills the requirements established by the state board under the Standards for Accreditation of Arkansas Public Schools and School Districts;

(iii) Open-enrollment public charter school students
who are enrolled in a curriculum that fulfills the requirements established
by the state board under the Standards for Accreditation of Arkansas Public
Schools and School Districts; or

(iv) Students who are eligible to attend and who
reside within the boundaries of a school district and are enrolled in the
Arkansas National Guard Youth Challenge Program, so long as the students are
participants in the program; or

(v)(a) Beginning with the 2012-2013 school year, students who receive funding under § 6-5-901 et seq.

(b) A student under this subdivision (1)(C)(v)
is counted as one-half (1/2) of a student.

/s/Hubbard