

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

A Bill

SENATE BILL 267

5 By: Senator D. Johnson
6

For An Act To Be Entitled

8 AN ACT TO EXPAND LEARNING TIME FOR ARKANSAS PUBLIC
9 SCHOOL STUDENTS BY ALLOWING SCHOOL DISTRICTS TO
10 OPERATE A TWO-HUNDRED-DAY SCHOOL YEAR; TO PROVIDE
11 ADDITIONAL FUNDING TO QUALIFIED SCHOOL DISTRICTS; AND
12 FOR OTHER PURPOSES.
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Subtitle

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16 TO EXPAND LEARNING TIME FOR ARKANSAS
17 PUBLIC SCHOOL STUDENTS BY ALLOWING SCHOOL
18 DISTRICTS TO OPERATE A TWO-HUNDRED-DAY
19 SCHOOL YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 1 is amended
25 to add an additional section to read as follows:

26 6-13-112. Two-hundred-day school year.

27 (a) It is found and determined by the General Assembly that:

28 (1) State and national accountability measures place an
29 increasingly high demand on public school districts and public school
30 students in Arkansas for instruction and learning; and

31 (2) The state's efforts to increase the educational attainment
32 of underrepresented public school students in Arkansas could be enhanced by
33 the establishment and operation of educational programs on the basis of a
34 school year with two hundred (200) instructional days.

35 (b) It is therefore the intent and purpose of this section to
36 authorize and encourage public schools to initiate and maintain public school



1 educational programs on the basis of a two-hundred-day school year.

2 (c) As used in this section:

3 (1)(A) "Average daily membership" for a school district that
4 elects to operate a two-hundred-day school year under this section means the
5 total number of days attended plus the total number of days absent by
6 students in kindergarten through grade twelve (K-12) during the two-hundred-
7 day school year divided by the number of actual instructional days and
8 rounded up to the nearest hundredth.

9 (B) The students who may be counted for average daily
10 membership are the same as those who are counted for average daily membership
11 for purposes of distributing state funding under § 6-20-2305;

12 (2) "Qualified school district" means a school district that
13 elects to operate on a two-hundred-day school year under this section and in
14 which:

15 (A) All public schools in the school district are
16 identified by the Department of Education as being in at least the first year
17 of school improvement under the Arkansas Comprehensive Testing, Assessment,
18 and Accountability Program Act, § 6-15-401 et seq.; and

19 (B) Eighty percent (80%) or greater of the previous school
20 year's enrolled students are national school lunch students for the purpose
21 of receiving state categorical funding for national school lunch students
22 under § 6-20-2305(b)(4); and

23 (3) "Two-hundred-day school year" means a school year for a
24 public school district that:

25 (A) Contains at least two hundred (200) instructional days
26 for students;

27 (B) Provides no vacation period lasting more than six (6)
28 weeks; and

29 (c) Schedules the last day of instruction on or before
30 June 30.

31 (d) The board of directors of any school district may elect to operate
32 on a two-hundred-day school year for all of the public schools in the school
33 district.

34 (e) In the first year that a school district elects to operate a two-
35 hundred-day school year under this section, the school district may calculate
36 its budget based on an estimated average daily membership that is not greater

1 than the three-quarter average daily membership for the previous school year.

2 (f)(1) Except as provided under subdivision (f)(2) of this section, a
 3 school district that elects to operate on a two-hundred-day school year shall
 4 receive the same amount of state foundation funding and other forms of state
 5 aid the school district would have received based on a nine-month school
 6 year, but using the definition of average daily membership under this
 7 section.

8 (2) A qualified school district shall receive:

9 (A) The qualified school district's per student state
 10 funding based on the average daily membership; and

11 (B) An additional amount of per student state foundation
 12 funding aid equal to six percent (6%) of the total foundation funding amount
 13 for the qualified school district under § 6-20-2305(a).

14 (3) A school district may use national school lunch state
 15 categorical funding received under § 6-20-2305 for increased expenditures
 16 relating to classroom instruction incurred as a result of operating on a two-
 17 hundred-day school year.

18 (g) The department shall make all distributions of state foundation
 19 funding aid and other forms of state aid to a school district under this
 20 section in twelve (12) approximately equal monthly amounts.

21 (h)(1) A school district shall maintain a two-hundred-day school year
 22 unless it obtains prior approval from the State Board of Education to change
 23 back to the school year that the school district operated under prior to
 24 electing to operate on a two-hundred-day school year.

25 (2) The state board:

26 (A) Shall base its decision to approve or disapprove the
 27 change requested by the school district on whether the change would benefit
 28 the academic achievement of students in the school district; and

29 (B) May require explanation or documentation from the
 30 school district to support the school district's request.

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 32 SECTION 2. Arkansas Code § 6-20-2303(3)(B), concerning the definition
 33 of average daily membership for purposes of public school funding, is amended
 34 to read as follows:

35 (B) ~~In those instances in which the~~ When the law specifies
 36 that average daily membership is calculated for a school district for less

1 ~~than a period of time different from~~ three (3) quarters ~~is specified~~, the
2 number of days used in the calculation shall be the days in the specified
3 period of time.
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5 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
6 General Assembly of the State of Arkansas that achievement levels of many
7 public school students are adversely affected when school is not in session
8 during the summer months; that the loss of educational achievement over the
9 summer months has a cumulative effect on those students who fall further
10 behind each year; that low-performing school districts need additional
11 funding in order to use the extended school year to increase the educational
12 achievement levels of students; and that this act is immediately necessary to
13 allow the State Board of Education to promulgate rules to implement this act
14 for the 2011-2012 school year and to provide low-performing school districts
15 the additional funding to operate an extended school year beginning with the
16 2011-2012 school year. Therefore, an emergency is declared to exist and this
17 act being necessary for the preservation of the public peace, health, and
18 safety shall become effective on July 1, 2011.
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