

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H4/2/13 H4/12/13

A Bill

HOUSE BILL 1774

5 By: Representative McLean
6 By: Senators J. Key, Elliott
7

For An Act To Be Entitled

9 AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS
10 CODE CONCERNING PUBLIC SCHOOL FUNDING *AMOUNTS*; TO
11 *DECLARE AN EMERGENCY*; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 *TO AMEND VARIOUS PROVISIONS OF THE*
16 *ARKANSAS CODE CONCERNING PUBLIC SCHOOL*
17 *FUNDING AMOUNTS; AND TO DECLARE AN*
18 *EMERGENCY.*
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 6-20-2305(a)(2), concerning per-student*
24 *foundation funding amounts, is amended to read as follows:*

25 *(2)(A) For the ~~2011-2012~~ 2013-2014 school year, the foundation*
26 *funding amount is equal to ~~six thousand one hundred forty-four dollars~~*
27 *~~(\$6,144)~~ six thousand three hundred ninety-three dollars (\$6,393) multiplied*
28 *by the school district's average daily membership for the previous school*
29 *year.*

30 *(B) For the ~~2012-2013~~ 2014-2015 school year and each*
31 *school year thereafter, the foundation funding amount is equal to ~~six~~*
32 *~~thousand two hundred sixty-seven dollars (\$6,267)~~ six thousand five hundred*
33 *twenty-one dollars (\$6,521) multiplied by the school district's average daily*
34 *membership for the previous school year.*
35

36 *SECTION 2. Arkansas Code § 6-20-2305(b)(2)(A)(i) and (ii), concerning*



1 *per-student state categorical funding amounts for alternative learning*
2 *environments, are amended to read as follows:*

3 *(2)(A)(i) For the ~~2011-2012~~ 2013-2014 school year, alternative*
4 *learning environment funding shall be ~~four thousand one hundred forty five~~*
5 *~~dollars (\$4,145)~~ four thousand three hundred five dollars (\$4,305) multiplied*
6 *by the number of identified alternative learning environment students*
7 *enrolled during the previous school year.*

8 *(ii) For the ~~2012-2013~~ 2014-2015 school year and*
9 *each school year thereafter, alternative learning environment funding shall*
10 *be ~~four thousand two hundred twenty eight dollars (\$4,228)~~ four thousand*
11 *three hundred eighty-three dollars (\$4,383) multiplied by the number of*
12 *identified alternative learning environment students enrolled during the*
13 *previous school year.*

14
15 *SECTION 3. Arkansas Code § 6-20-2305(b)(3)(A) and (B), concerning per-*
16 *student state categorical funding amounts for English-language learners, are*
17 *amended to read as follows:*

18 *(3)(A) For the ~~2011-2012~~ 2013-2014 school year, funding for*
19 *students who are identified as English-language learners shall be ~~two hundred~~*
20 *~~ninety nine dollars (\$299)~~ three hundred eleven dollars (\$311) for each*
21 *identified English-language learner.*

22 *(B) For the ~~2012-2013~~ 2014-2015 school year and each*
23 *school year thereafter, funding for students who are identified as English-*
24 *language learners shall be ~~three hundred five dollars (\$305)~~ three hundred*
25 *seventeen dollars (\$317) for each identified English-language learner.*

26
27 *SECTION 4. Arkansas Code § 6-20-2305(b)(4)(A)(i)-(iii), concerning*
28 *per-student state categorical funding amounts for national school lunch*
29 *students, are amended to read as follows:*

30 *(i) For a school district in which ninety percent*
31 *(90%) or greater of the previous school year's enrolled students are national*
32 *school lunch students, the amount of per-student national school lunch state*
33 *categorical funding ~~shall be one thousand five hundred eighteen dollars~~*
34 *~~(\$1,518) for the 2011-2012 school year, and is one thousand five hundred~~*
35 *~~forty-nine dollars (\$1,549) for the 2012-2013 school year and for each school~~*
36 *~~year thereafter;~~*

1 (ii) For school districts in which at least seventy
2 percent (70%) but less than ninety percent (90%) of the previous school
3 year's enrolled students are national school lunch students, the amount of
4 per-student national school lunch state categorical funding ~~shall be one~~
5 ~~thousand twelve dollars (\$1,012) for the 2011-2012 school year, and is~~ one
6 ~~thousand thirty-three dollars (\$1,033) for the 2012-2013 school year and for~~
7 ~~each school year thereafter; and~~

8 (iii) For school districts in which less than
9 seventy percent (70%) of the previous school year's enrolled students are
10 national school lunch students, the amount of ~~per-student~~ per-student
11 national school lunch state categorical funding ~~shall be five hundred six~~
12 ~~dollars (\$506) for the 2011-2012 school year, and is~~ five hundred seventeen
13 ~~dollars (\$517) for the 2012-2013 school year and each school year thereafter.~~
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15 SECTION 5. Arkansas Code § 6-20-2305(b)(5)(A) and (B), concerning per-
16 membership.
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18 SECTION 6. DO NOT CODIFY. TEMPORARY LANGUAGE.

19 (a) The General Assembly finds that:

20 (1) It is the duty of the State of Arkansas to provide a
21 general, suitable, and efficient system of free public schools to the
22 children of the state, under Arkansas Constitution, Article 14, § 1;

23 (2) The General Assembly is obligated to ensure the provision of
24 an adequate and equitable system of education;

25 (3) The House Committee on Education, the Senate Committee on
26 Education, and the Eighty-ninth General Assembly examined national school
27 lunch state categorical funding to determine how the funding affects student
28 achievement;

29 (4) While the state's goal in providing national school lunch
30 state categorical funding is to provide a greater level of resources to
31 school districts with the highest concentration of economically disadvantaged
32 students, the current method of funding should be improved to better meet
33 that goal;

34 (5) The evidence presented to the House Committee on Education,
35 the Senate Committee on Education, and the Eighty-ninth General Assembly
36 indicates that the method in which national school lunch state categorical

1 funding is distributed should change;

2 (6) Evidence presented to the House Committee on Education and
3 the Senate Committee on Education in March 2013 shows that the current method
4 of funding national school lunch state categorical amounts should be revised
5 to align more directly with student achievement;

6 (7) The current method of distributing national school lunch
7 state categorical funding does not differentiate between the family income
8 levels of students who are at significantly different poverty levels;

9 (8) A change in the method of distributing national school lunch
10 state categorical funding should produce a greater alignment of funding with
11 concentrations of national school lunch students and focus the existing
12 resources on programs associated with achievement gains for economically
13 disadvantaged and low-performing students;

14 (9) School districts should only be permitted to use national
15 school lunch state categorical funding to fund evidence-based programs
16 directed at improving student achievement for economically disadvantaged and
17 low-performing students;

18 (10) The House Committee on Education and the Senate Committee
19 on Education, meeting jointly, adopted two recommendations for national
20 school lunch state categorical funding:

21 (A) Replace the current national school lunch state
22 categorical funding mechanism with a model that provides funding for
23 economically disadvantaged students on a sliding scale; and

24 (B) Prioritize and focus school districts' allowable uses
25 of educational funding for economically disadvantaged students;

26 (11) The recommendations in subdivision (10) were adopted
27 partially in response to a report by the Bureau of Legislative Research
28 indicating that current national school lunch state categorical funding
29 levels have not achieved desired achievement gains. The bureau also found
30 that the number of allowed uses for national school lunch state categorical
31 funding may dilute the impact of the funding but that further study would be
32 necessary to determine whether this is so;

33 (12) While these concerns are important, the General Assembly
34 has not had sufficient time to act on the findings and recommendations of the
35 House Committee on Education and the Senate Committee on Education to find
36 the best possible solution to the identified problems and recommendations.

1 More time and study is needed to determine how best to implement the
2 recommendations. However, it is clear that the evidence strongly suggests
3 that an increase of national school lunch state categorical funding for the
4 upcoming school year is unlikely to produce the expected increase in academic
5 achievement for the students for whom the funding is provided.

6 (b) The House Committee on Education and the Senate Committee on
7 Education, in conjunction with the bureau and the Department of Education,
8 shall conduct a study and make the following recommendations to the Eighty-
9 ninth General Assembly for consideration during the 2014 Fiscal Session:

10 (1) A list of evidence-based programs for which national school
11 lunch state categorical funds may be expended by school districts; and

12 (2) A new national school lunch state categorical funding
13 formula to replace the current national school lunch state categorical
14 funding mechanism with a model that:

15 (A) Provides funding for economically disadvantaged
16 students on a sliding scale; and

17 (B) Weights the funding to provide more money to school
18 districts for students who, under federal poverty guidelines, qualify for
19 free meals than it provides to students who qualify for reduced-priced meals.

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21 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the
22 General Assembly of the State of Arkansas that it is the state's
23 constitutional obligation to provide a general, suitable, and efficient free
24 system of public schools in the state; that the public school funding
25 distribution changes in this act are necessary to ensure that proper funding
26 is provided to public schools and school districts; and that this act is
27 immediately necessary so that public schools and school districts will
28 receive the amount of funding provided under this act for the 2013-2014
29 school year. Therefore, an emergency is declared to exist and this act being
30 immediately necessary for the preservation of the public peace, health, and
31 safety shall become effective on July 1, 2013.

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34 /s/McLean