

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

As Engrossed: S3/26/13
A Bill

SENATE BILL 508

5 By: Senators Elliott, *J. Key*
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7 **For An Act To Be Entitled**

8 AN ACT TO AMEND THE PURPOSES FOR NATIONAL SCHOOL
9 LUNCH STATE CATEGORICAL FUNDING; TO SUPPORT PUBLIC
10 SCHOOL PROGRAMS THAT IMPROVE THE HEALTH AND WELL-
11 BEING OF PUBLIC SCHOOL STUDENTS; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 TO AMEND THE PURPOSES FOR NATIONAL SCHOOL
16 LUNCH STATE CATEGORICAL FUNDING; TO
17 SUPPORT PUBLIC SCHOOL PROGRAMS THAT
18 IMPROVE THE HEALTH AND WELL-BEING OF
19 PUBLIC SCHOOL STUDENTS; AND TO DECLARE AN
20 EMERGENCY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 6-20-2305(b)(4)(C)(i), concerning the
27 approved purposes for expenditures from national school lunch state
28 categorical funding, is amended to read as follows:

29 (C)(i)(a) The State Board of Education shall establish by
30 rule a list of approved programs and purposes for which funds allocated under
31 this subdivision (b)(4) may be expended, and-

32 ~~(b) School~~ school districts shall expend those
33 ~~funds allocated under this subdivision (b)(4) only on the programs or~~
34 ~~purposes on the State Board of Education's list of approved programs and~~
35 ~~purposes for which funds allocated under this subdivision (b)(4) may be~~
36 ~~expended, which shall include, but are not limited to:~~ only on programs or



1 for the purposes on the list.

2 (b) The state board's list of approved
3 programs and purposes shall include the following Category 1 programs:

4 ~~(1) Classroom teachers, provided that~~
5 ~~the school district meets the minimum salary schedule in § 6-17-2403 without~~
6 ~~using funds provided under this subdivision (b)(4) and that those teachers~~
7 ~~are used for the purposes delineated in this subdivision (b)(4);~~

8 ~~(2)(1) Before-school academic programs~~
9 ~~and after-school academic programs, including transportation to and from the~~
10 ~~programs;~~

11 ~~(3)(2) Prekindergarten programs~~
12 ~~coordinated by the Department of Human Services;~~

13 ~~(4)(3) Tutors, teachers' aides,~~
14 ~~counselors, social workers, nurses, and curriculum specialists;~~

15 ~~(5) Parent education;~~

16 ~~(6)(4) Summer programs;~~

17 ~~(7) Early intervention programs;~~

18 ~~(8) Materials, supplies, and equipment,~~
19 ~~including technology used in approved programs or for approved purposes;~~

20 ~~(9) Federal child nutrition programs, to~~
21 ~~the extent necessary to provide school meals without charge to all students~~
22 ~~under the United States Department of Agriculture Special Assistance~~
23 ~~Alternative "Provision 2" program under 42 U.S.C. § 1759a, as it exists on~~
24 ~~July 1, 2011;~~

25 ~~(10) Federal child nutrition programs,~~
26 ~~to the extent necessary to provide school meals without charge to students~~
27 ~~otherwise eligible for reduced price meals under the United States Department~~
28 ~~of Agriculture's National School Lunch Program or School Breakfast Program;~~

29 ~~(11)(5) Expenses directly related to~~
30 ~~funding a longer school day;~~

31 ~~(12)(6) Expenses directly related to~~
32 ~~funding a longer school year;~~

33 ~~(13)(7) Partnering Partnerships with~~
34 ~~local institutions of higher education to remediate students while those~~
35 ~~students are still in high school so that the students are college and career~~
36 ~~ready upon graduation from high school;~~

1 ~~(14) Teach For America professional~~
2 ~~development;~~

3 ~~(15)(8) Implementing Implementation of~~
4 components of the Arkansas Advanced Initiative for Math and Science; ~~and~~

5 ~~(16)(9) College and Career Coaches, as~~
6 administered by the Department of Career Education;

7 (10) School health clinics for students
8 and student services personnel who serve low-income students;

9 (11) Implementation of positive behavior
10 intervention and support programs; and

11 (12) Technology that is used solely by
12 students participating in a science, technology, engineering, and math
13 initiative approved by the Department of Education in which participation by
14 national school lunch students in a school is at or above the rate of
15 participation by all students in the school.

16 (c) The state board's list of approved
17 programs and purposes shall include without limitation the following Category
18 2 programs:

19
20 (1) Classroom teachers, provided that
21 the school district meets the minimum salary schedule in § 6-17-2403 without
22 using funds provided under this subdivision (b)(4) and that those teachers
23 are used for the purposes delineated in this subdivision (b)(4);

24 (2) Parent education;

25 (3) Early intervention programs;

26 (4) Materials, supplies, and equipment,
27 including technology used in approved programs or for approved purposes;

28 (5) Federal child nutrition programs, to
29 the extent necessary to provide school meals without charge to all students
30 under the United States Department of Agriculture Special Assistance
31 Alternative "Provision 2" program under 42 U.S.C. § 1759a, as it exists on
32 July 1, 2013;

33 (6) Federal child nutrition programs, to
34 the extent necessary to provide school meals without charge to students
35 otherwise eligible for reduced-price meals under the United States Department
36 of Agriculture's National School Lunch Program or School Breakfast Program;

1 (7) Teach For America professional
2 development; and

3 (8) Implementing a school-wide evidence-based program intended
4 to close achievement gaps, including without limitation, a program with an
5 arts-infused curriculum.

6 (d) Beginning with the 2013-2014 school year,
7 a school district shall annually spend:

8 (1) Sixty percent (60%) or more of the
9 school district's national school lunch state categorical funding on one (1)
10 or more of the Category 1 programs; or

11 (2) If a school in the district is
12 identified by the department as a focus school, priority school, or school in
13 academic distress, seventy-five percent (75%) or more of the school
14 district's national school lunch state categorical funding on one (1) or more
15 of the Category 1 programs.

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17 SECTION 2. Arkansas Code § 6-20-2305(b)(4)(D)(i), concerning a school
18 district report on the expenditure of national school lunch state categorical
19 funds, is amended to read as follows:

20 (D)(i) By the end of each school year, each school
21 district shall submit to the Department of Education a report ~~listing that:~~

22 (a) Lists each program upon which funds
23 allocated under this subdivision (b)(4) were expended~~;~~

24 (b) Identifies the amount expended~~,~~ for each
25 program;

26 (c) Documents the specific benefit of the
27 program to the academic progress of low-income students; and

28 (d) Includes any other information required by
29 the Department of Education.

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31 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
32 General Assembly of the State of Arkansas that under its constitutional duty
33 to provide an equal opportunity for an adequate education for all public
34 school students, the state provides national school lunch state categorical
35 funding for the purpose of improving the achievement levels of students in
36 poverty; that this act directs the use and evaluation of the use of that

1 funding for more than half of all public school students in this state; and
2 that this is immediately necessary for the State Board of Education to
3 promulgate rules for the 2013-2014 school year for the use of this funding.
4 Therefore, an emergency is declared to exist, and this act being immediately
5 necessary for the preservation of the public peace, health, and safety shall
6 become effective on:

7 (1) The date of its approval by the Governor;

8 (2) If the bill is neither approved nor vetoed by the Governor,
9 the expiration of the period of time during which the Governor may veto the
10 bill; or

11 (3) If the bill is vetoed by the Governor and the veto is
12 overridden, the date the last house overrides the veto.

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14 */s/Elliott*
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