Stricken language would be deleted from and underlined language would be added to present law. Act 1220 of the Regular Session

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 Entitled			
8	AN ACT TO A	AMEND THE REQUIREMENTS RELATED T	O PUBLIC	
9	SCHOOL CATE	EGORICAL FUNDING; AND FOR OTHER	PURPOSES.	
10				
11				
12		Subtitle		
13	TO AM	END THE REQUIREMENTS RELATED TO		
14	PUBLI	C SCHOOL CATEGORICAL FUNDING.		
15				
16				
17	BE IT ENACTED BY THE G	ENERAL ASSEMBLY OF THE STATE OF	ARKANSAS:	
18				
19	SECTION 1. Arkansas Code \S 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	s follows:		
22		(9) Federal child	l nutrition programs, to	
23	the extent necessary to provide school meals without charge to all students			
24	under the United States Department of Agriculture Special Assistance			
25	Alternative "Provision	2" program under 42 U.S.C. § 17	759a, as it exists on	
26	<u>July 1, 2011;</u>			
27		<u>(10) Federal chil</u>	ld nutrition programs,	
28	to the extent necessary to provide school meals without charge to students			
29	otherwise eligible for reduced-price meals under the United States Department			
30	of Agriculture's Nation	nal School Lunch Program or Scho	ool Breakfast Program;	
31		<u>(11) Expenses dir</u>	rectly related to	
32	funding a longer school	<u>l day;</u>		
33		<u>(12) Expenses dir</u>	rectly related to	
34	funding a longer school	<u>l year;</u>		
35		<u>(13) Partnering w</u>	vith local institutions	
36	of higher education to	remediate students while those	students are still in	

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1	high school so that the students are college and career ready upon graduation		
2	from high school;		
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 \S 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 in the prior school year 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 \S 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,		

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1	the school district has a balance of no more than fifteen percent (15%) of		
2	the school district's current year annual national school lunch state		
3	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	(iv) The commissioner may grant a waiver request		
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	circumstances.		
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	(b) (4) (F).		
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) (1) Funds distributed to school districts under subsection (b) of		
34	this section shall be expended on:		
35	$\frac{(1)}{(A)}$ The students within each category of special needs		
36	for which the funds were allocated;		

1	$\frac{(2)}{(B)}$ 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 thi		
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	<u>subsection.</u>		
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		
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34			
35	APPROVED: 04/06/2011		
36			