

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

As Engrossed: H3/14/11

A Bill

HOUSE BILL 1910

5 By: Representative Pierce
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE REQUIREMENTS RELATED TO PUBLIC
9 SCHOOL CATEGORICAL FUNDING; AND FOR OTHER PURPOSES.
10

Subtitle

11 TO AMEND THE REQUIREMENTS RELATED TO
12 PUBLIC SCHOOL CATEGORICAL FUNDING.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 *SECTION 1. Arkansas Code § 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 follows:*

22 *(9) Federal child 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. § 1759a, as it exists on*
26 *July 1, 2011;*

27 *(10) Federal child 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 National School Lunch Program or School Breakfast Program;*

31 *(11) Expenses directly related to*
32 *funding a longer school day;*

33 *(12) Expenses directly related to*
34 *funding a longer school year;*

35 *(13) Partnering with local institutions*
36 *of higher education to remediate students while those students are still in*



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.

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10 SECTION 2. Arkansas Code § 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 § 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,

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 (c) The department may redistribute amounts
28 withheld under this subdivision (b)(4)(F) to other school districts entitled
29 to receive national school lunch state categorical funding allocations.

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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 ~~(1)(A)~~ (A) The students within each category of special needs
36 for which the funds were allocated;

