

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 605

By: Senator A. Clark

For An Act To Be Entitled

AN ACT CONCERNING NATIONAL SCHOOL LUNCH STATE CATEGORICAL FUNDING; TO AMEND THE NAME OF NATIONAL SCHOOL LUNCH STATE CATEGORICAL FUNDING; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE NAME OF NATIONAL SCHOOL LUNCH STATE CATEGORICAL FUNDING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-15-2701(b) and (c), concerning the closing the achievement gap program, are amended to read as follows:

(b)(1) A school district that has a chronically underperforming school shall use its ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding under § 6-20-2305(b)(4) to evaluate the impact of educational strategies used by the chronically underperforming school to address the achievement gaps among students in the chronically underperforming school.

(2) The evaluation shall:

(A) Identify the categories of programs and intervention strategies used with ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding; and

(B) Report the benchmark assessment scores for the end of the immediately preceding school year and for the end of the current school year of students involved in the programs and intervention strategies identified under this subdivision (b)(2).



(c) The Department of Education shall:

(1) Promulgate rules necessary to implement this section, including without limitation establishing the categories by which a chronically underperforming school shall identify programs and intervention strategies under subsection (b) of this section;

(2) In a chronically underperforming school's comprehensive school improvement plan, direct the use of ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding for strategies to close gaps in academic achievement, including without limitation:

(A) Using an Arkansas Scholastic Audit;

(B) Using disaggregated school data to set academic improvement targets in reading, writing, mathematics, and science;

(C) Using improvement targets to define professional development needs related to content, instruction, differentiation, and best practices in educating special education students, gifted and talented students, English language learners, and other student subgroups as needed;

(D) Developing interim building-level assessments to monitor student progress toward proficiency on the state benchmark assessments;

(E) Developing a plan to immediately address gaps in learning;

(F) Examining and realigning, as needed, school scheduling, academic support systems, and assignments of personnel; and

(G) Designing a plan for increasing parental knowledge and skill to support academic objectives; and

(3) By August 1 of each year, report to the House Committee on Education and the Senate Committee on Education on:

(A) The use of ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding by chronically underperforming schools in the state; and

(B) The status of the achievement gaps at chronically underperforming schools in the state.

SECTION 2. Arkansas Code § 6-15-2907(a)(4)(C), concerning the statewide student assessment system, is amended to read as follows:

(C) Public school districts may offer additional college

and career readiness assessments for students in grades ten through twelve (10-12) at no cost to the student by using public school district funding, including without limitation ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding under § 6-20-2305.

SECTION 3. Arkansas Code § 6-20-2305(b)(4)(A) and (B), concerning the calculation of national school lunch state categorical funding, are amended to read as follows:

(4)(A) ~~National school lunch state categorical funding~~ Enhanced Student Achievement Funding for each identified national school lunch student shall be as follows:

(i) For a public school district in which ninety percent (90%) or greater of the previous school year's enrolled students are national school lunch students, the amount of per-student ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding is for each school year, one thousand five hundred seventy-six dollars (\$1,576);

(ii) For a public school district in which at least seventy percent (70%) but less than ninety percent (90%) of the previous school year's enrolled students are national school lunch students, the amount of per-student ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding is for each school year, one thousand fifty-one dollars (\$1,051); and

(iii) For a public school district in which less than seventy percent (70%) of the previous school year's enrolled students are national school lunch students, the amount of per-student ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding is for each school year, five hundred twenty-six dollars (\$526).

(B)(i)(a) Except as provided under subdivision (b)(4)(B)(i)(c) of this section, ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding under this subdivision (b)(4) shall be based on the number of national school lunch students for the immediately preceding school year determined under § 6-20-2303(13)(A).

(b) If the public school district is participating under 42 U.S.C. § 1759a, funding under this subdivision (b)(4) is based on the percentage determined in § 6-20-2303(13)(B) multiplied by the number of enrolled students for the immediately preceding school year.

(c) The per-student ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding for an open-enrollment public charter school shall be based upon the current school year enrollment:

(1) In the initial year of operation for an open-enrollment public charter school; or

(2) In a year in which an open-enrollment public charter school adds a grade.

(ii)(a) If a public school district will receive in the current school year ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding under subdivision (b)(4)(A) of this section that is based on a different per-student amount of ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding than the public school district received in the immediately preceding school year, due to a percentage change in national school lunch students, the ~~department~~ Department of Education shall adjust the funding to the public school district in a transitional three-year period.

(b) The amount of ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding under this subdivision (b)(4)(B)(ii) shall be increased or decreased in each year of a three-year transition period by one-third (1/3) of the difference between the amount of ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding per student for the current year and the amount of ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding per student for the immediately preceding year, adjusted for changes to the funding rates in subdivision (b)(4)(A) of this section.

(iii)(a) The Department of Education shall establish rules to implement the transitional ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding provided in subdivision (b)(4)(B)(ii) of this section.

(b) The rules shall include the methods of transition for a school district that:

(1) Experiences a decrease in the amount of ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding per student under subdivision (b)(4)(A) of this section;

(2) Experiences an increase in the

amount of ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding per student under subdivision (b)(4)(A) of this section;
or

(3) Within a three-year transition period, experiences both a decrease and an increase in the amount of ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding per student under subdivision (b)(4)(A) of this section.

(iv) Under no circumstances shall a public school district be entitled to receive more or less ~~funding~~ Enhanced Student Achievement Funding as a result of the transitional process than the public school district is otherwise entitled to receive under this subdivision (b)(4) based on the school district's national school lunch student population as a percentage of the public school district's entire student population.

(v)(a) A public school district that has experienced a significant growth in enrolled students in the previous three (3) years shall receive funding for the expected increase in the number of national school lunch students based on the expected increase in enrolled students based on the levels of funding provided in this section for national school lunch students.

(b) The State Board of Education shall establish rules to be used by the Department of Education to determine:

(1) The amount of growth necessary to qualify as significant growth;

(2) The expected increase in the number of national school lunch students based on the expected increase in enrolled students; and

(3) Which public school districts have experienced a significant growth in enrolled students as necessary to qualify for funding under this subdivision (b)(4)(B)(v).

(c) The Department of Education shall not be required to adjust or fund a public school district's national school lunch students based on the current year's number of national school lunch students enrolled in the public school district or the average growth of students in the public school district.

SECTION 4. Arkansas Code § 6-23-501(a)(3), concerning the distribution of national school lunch state categorical funding to an open-enrollment public charter school, is amended to read as follows:

(3) ~~National school lunch state categorical funding~~ Enhanced Student Achievement Funding under § 6-20-2305(b)(4) shall be provided to an open-enrollment public charter school as follows:

(A) For the first year of operation, the first year operating under a new license, the first year adding a new campus, and in any year when a grade is added at any campus, free or reduced-price meal eligibility data as reported by October 1 of the current school year will be used to calculate the ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding under the state board rules governing special needs funding; and

(B) For the second year and each school year of operation thereafter, the previous year's October 1 national school lunch student count as specified in state board rules governing special needs funding will be used to calculate ~~national school lunch state categorical funding~~ Enhanced Student Achievement Funding for the open-enrollment public charter school.

APPROVED: 4/17/19