

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 605

5 By: Senator A. Clark
6

For An Act To Be Entitled

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

14 TO AMEND THE NAME OF NATIONAL SCHOOL
15 LUNCH STATE CATEGORICAL FUNDING.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 6-15-2701(b) and (c), concerning the
22 closing the achievement gap program, are amended to read as follows:

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

29 (2) The evaluation shall:

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

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



1 (c) The Department of Education shall:

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

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

10 (A) Using an Arkansas Scholastic Audit;

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

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

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

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

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

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

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

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

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

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

36 (C) Public school districts may offer additional college

1 and career readiness assessments for students in grades ten through twelve
 2 (10-12) at no cost to the student by using public school district funding,
 3 including without limitation ~~national school lunch state categorical funding~~
 4 Enhanced Student Achievement Funding under § 6-20-2305.

5
 6 SECTION 3. Arkansas Code § 6-20-2305(b)(4)(A) and (B), concerning the
 7 calculation of national school lunch state categorical funding, are amended
 8 to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (2) Experiences an increase in the

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

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

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

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

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

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

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

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

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

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

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

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

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

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21 **APPROVED: 4/17/19**
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