



## Legislative Session Update

Presenter    Jeremy Lasiter, General Counsel,  
Arkansas Department of Education

# Legislative Update

**Jeremy Lasiter**  
**ADE General Counsel**  
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# Act 394 – Donation of Property for Educational Purposes

*Effective late July 2015*

- Section 6-21-108(b) – amends the list of entities to which a school district can donate property to include an incorporated town.



# Act 722 – Amends Provisions of the Public School Academic Facilities Code

*Effective late July 2015*

- Section 6-21-112(f)(15)(A) – changes the Division’s yearly reporting requirements to a be a status of implementation of the Arkansas Public School Academic Facilities Act, § 6-21-801 *et. seq.*
- Section 6-21-114(b)(2)(A) - removes the Commissions requirement to meet at least quarterly.



## Act 722 – Amends Provisions of the Public School Academic Facilities Code *cont'd*

- Section 6-21-114(e)(5) – repeals the duties of the Commission to receive and administer federal funds used to assist local school districts in providing school facilities for GED, vocational, and adult education programs.
- Section 6-21-809(c)(5) – repeals the ability for a school district to apply for a variance of academic facility standards by showing evidence of division oversight when the school does not use the services of an architect.



# Act 962 – Amends Provisions of Title 6 Concerning Public School Facilities

*Effective late July 2015*

- Section 6-20-2511 – High-Growth School Districts
  - The commission shall annually determine which school districts qualify as high-growth districts and by November 1, prepare and submit the list of the qualified districts to the House and Senate Committees on Education and post the list on the PSAFT website.
- Section 6-20-2514(c) – changes the reporting requirements of the Academic Facilities Extraordinary Circumstances Program to report to the House and Senate Committees on Education by October 15, 2015.



# Act 962 – Amends Provisions of Title 6 Concerning Public School Facilities *cont'd*

*Effective late July 2015*

- Section 6-20-2515 – Review Conferences
  - Changes the dates for when a district may request and be granted a review conference to at least 60 days before the application deadline.
  - Creates subsection (6) adding whether or not the proposed application meets all of the technical requirements for partnership applications to the list of items the review conference shall consider.
  - Requires the divisions record to be a written record with a copy provided to the district within 5 working days after finalizing.



# Act 739 - Establishes the Open-Enrollment Public Charter School Facilities Aid Program

*Effective late July 2015*

- Creates § 6-23-908 – Open Enrollment Public Charter School Facilities Funding Aid Program.
  - An open-enrollment public charter school meeting the requirements of this section is eligible to receive funding from the program on a pro rata distribution of available funding per student, based on the school’s previous year  $\frac{3}{4}$  ADM.
    - The school cannot be in academic or fiscal distress, cannot a priority school under ACTAAP or have a “F” rating, or be on probation status.
  - The funds received can only be used for the lease, purchase, renovation, repair, construction, installation, restoration, alteration, modification, or operation and maintenance of an approved facility. If the funds are no longer needed or go unused, the division can recoup.
  - This section does not entitle or subject the charter school to the PSAF Funding Act or the PSAF Program Act.



# Act 735 – Open-Enrollment Public Charter School Facilities Funding Aid Program Appropriation

*Effective July 1, 2015*

- Appropriation bill to be added to the Public School Fund to fully fund the open-enrollment public charter school facilities funding aid in the amount of \$15M.
- Funding provision for the transfer from the Open-Enrollment Public Charter School Facilities Loan Fund to the Public School Fund for \$5M. The transfer was to be made immediately upon the effective date of this Act.



# Act 739 – PSAFT General Improvement Appropriation

*Effective July 1, 2015*

- Appropriation bill for a transfer of \$5M from the General Improvement Fund to the ADE Public School Fund Account for grants and aid for open-enrollment public charter schools from the Open-Enrollment Public Charter School Facilities Funding Aid Program.



# *Legal Services Staff*

- **Kendra Clay, Staff Attorney**
  - [kendra.clay@arkansas.gov](mailto:kendra.clay@arkansas.gov)
- **Jennifer Davis, Staff Attorney**
  - [jennifer.davis@arkansas.gov](mailto:jennifer.davis@arkansas.gov)
- **Lori Freno, Deputy General Counsel**
  - [lori.freno-engman@arkansas.gov](mailto:lori.freno-engman@arkansas.gov)
- **Jeremy Lasiter, General Counsel**
  - [jeremy.lasiter@arkansas.gov](mailto:jeremy.lasiter@arkansas.gov)
- **Vivian Moore, Administrative Specialist**
  - [vivian.moore@arkansas.gov](mailto:vivian.moore@arkansas.gov)
- **Sallie Robert, Legal Support Specialist**
  - [sallie.robert@arkansas.gov](mailto:sallie.robert@arkansas.gov)

***Arkansas Department of Education Legal Update***



# ***Contact Information***

- **Phone: (501) 682-4227**
- **Fax: (501) 682-4249**
- **Address: Four Capitol Mall, Room 404-A  
Little Rock, Arkansas 72201**

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