

1 State of Arkansas
2 84th General Assembly
3 Second Extraordinary Session, 2003
4

As Engrossed: H1/8/04
A Bill

Call Item 4

HOUSE BILL 1008

5 By: Representative Pickett
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7

For An Act To Be Entitled

9 AN ACT TO *TRACK* THE AMOUNT OF STATE FUNDS THAT
10 ARE USED TO SUPPORT INTERSCHOOL ATHLETIC PROGRAMS
11 IN PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 *TO TRACK THE AMOUNT OF STATE FUNDS THAT*
16 *ARE USED TO SUPPORT ATHLETIC PROGRAMS IN*
17 *PUBLIC SCHOOLS.*
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 *SECTION 1. Arkansas Code Title 6, Chapter 20, is amended to add an*
23 *additional subchapter to read as follows:*

24 *6-20-2001. Purpose.*

25 *The purpose of this subchapter is to track and account for the amount*
26 *of state funds that is used to support interschool athletic programs in*
27 *public schools.*
28

29 *6-20-2002. Definitions.*

30 *As used in this subchapter:*

31 *(1) "Athletic expenditures" means all direct and indirect*
32 *expenses related to interschool athletic programs, prorated if necessary,*
33 *including but not limited to:*

34 *(A) Salaries or supplemental pay for staff for interschool*
35 *athletic programs, excluding salaries received for duties as a classroom*
36 *teacher;*



1 (B) All fringe benefits, including, but not limited to,
2 medical and dental insurance, workers' compensation, pension plans, and any
3 other cost associated with employment of staff for interschool athletic
4 programs;

5 (C) Travel, including bus-related operation and
6 maintenance;

7 (D) Equipment;

8 (E) Meals;

9 (F) Supplies;

10 (G) Property and medical insurance;

11 (H) Medical expenses;

12 (I) Utilities; and

13 (J) Maintenance of facilities related to interschool
14 athletic teams and spirit groups, excluding bands;

15 (2) "Classroom teacher" means an individual who is required to
16 hold a teaching license from the Department of Education and who is engaged
17 directly in instruction with students in a classroom setting for more than
18 seventy percent (70%) of the individual's contracted time;

19 (3) "Interschool athletic program" means:

20 (A) Any athletic program which is organized primarily for
21 the purpose of competing with other schools, public or private; or

22 (B) Any athletic program which is subject to regulation by
23 the Arkansas Activities Association; and

24 (4) "State funds" means all money derived from state revenues,
25 specifically including but not limited to, the uniform rate of ad valorem
26 property tax established under Arkansas Constitution, Amendment 74, and
27 distributed to a public school or school district.

28
29 6-20-2003. Certification by local district school board.

30 (a) Annually by September 15 of each year, the local school board of
31 each school district shall:

32 (1) In a written report, certify to the State Board of
33 Education:

34 (A) For the previous school year, the amount of the
35 district's total athletic expenditures for interschool athletic programs and
36 separately within the report, if expenditures were paid from:

1 (i) State funds;
2 (ii) Ticket sales;
3 (iii) Donations or fundraisers;
4 (iv) Local funds in excess of the uniform rate of ad
5 valorem property tax under Arkansas Constitution, Amendment 74; or
6 (v) Other sources of funding. For other sources of
7 funding, the report shall identify the source.

8 (B) For the upcoming school year, the district's total
9 athletic expenditures budgeted for interschool athletic programs, indicating
10 separately within the report, if expenditures are to be paid from:

11 (i) State funds;
12 (ii) Ticket sales;
13 (iii) Donations or fundraisers;
14 (iv) Local funds in excess of the uniform rate of ad
15 valorem property tax under Arkansas Constitution, Amendment 74; or
16 (v) Other sources of funding. For other sources of
17 funding, the report shall identify the source;

18 (2) Provide the state board with a report of the school
19 district's total athletic expenditures in a format approved by the state
20 board or the Department of Education for the previous school year and post
21 the report on the school district's website;

22 (3) Provide the state board with a budget for the athletic
23 expenditures as set forth under subdivision (a)(1)(B) of this section for the
24 upcoming year and post the report on the school district's website; and

25 (4) Provide the state board and the department with any
26 additional information or documentation requested.

27 (b)(1) Any school district failing to comply with the provisions of
28 this subchapter and the rules adopted by the state board for the
29 implementation of this subchapter shall be identified by the department to be
30 a school in fiscal distress in accordance with the Arkansas Fiscal Assessment
31 and Accountability Program, § 6-20-1901 et seq.

32 (2) Any report required by this subchapter shall be subject to a
33 yearly audit which shall be filed as set forth under §§ 6-20-1801 – 6-20-
34 1804.

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36 6-20-2004. Regulations – Nondiscriminatory application.

