

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

As Engrossed: H12/19/03
A Bill

Call Item 4

HOUSE BILL 1038

5 By: Representative Mathis
6 By: Senator T. Smith
7

8
9 **For An Act To Be Entitled**

10 AN ACT CONCERNING THE ARKANSAS SCHOOL FOR
11 MATHEMATICS, SCIENCES, AND THE ARTS; AND FOR
12 OTHER PURPOSES.
13

14 **Subtitle**

15 AN ACT CONCERNING THE ARKANSAS SCHOOL
16 FOR MATHEMATICS, SCIENCES, AND THE ARTS.
17

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 6, Chapter 42, Subchapter 3 is amended
22 to add additional sections to read as follows:

23 6-42-308. School qualifies as local education agency.

24 (a) The General Assembly designates that the Arkansas School for
25 Mathematics, Sciences, and the Arts meets the definition of a "local
26 education agency" because the school is a public authority, legally
27 constituted within this state to perform a service function for public
28 secondary schools and is a public institution or agency having administrative
29 control and direction of a secondary school.

30 (b) This section intends to recognize the function of the Arkansas
31 School for Mathematics, Sciences, and the Arts and to provide eligibility to
32 the Arkansas School for Mathematics, Sciences, and the Arts to receive and
33 federal funds.

34 (c) Nothing in this section shall permit the Arkansas School for
35 Mathematics, Sciences, and the Arts to receive funds from the Public School
36 Fund except pursuant to a line item appropriation.



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2 6-42-309. Charter school option.

3 The Board of Trustees of the University of Arkansas may petition the
4 State Board of Education for the Arkansas School for Mathematics, Sciences,
5 and the Arts to receive charter school status under the Arkansas Charter
6 Schools Act of 1999. If the petition is granted, funding for the charter
7 school shall be made pursuant to an appropriation by the General Assembly for
8 the Arkansas School for Mathematics, Sciences, and the Arts.

9 SECTION 2. Arkansas Code § 6-23-103(8), concerning definitions used
10 for purposes of "The Arkansas Charter Schools Act of 1999", is amended to
11 read as follows:

12 (8)(A) "Public school" means a school that is part of a public
13 school district under the control and management of a local board.

14 (B) "Public school" includes the Arkansas School for
15 Mathematics, Sciences, and the Arts; and

16
17 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
18 General Assembly of the State of Arkansas that the Arkansas Supreme Court in
19 Lake View District No. 25 v. Huckabee, 351 Ark 31 (2002) declared the
20 existing system of education to be unconstitutional because it is both
21 inequitable and inadequate; that this act assists the Arkansas School for
22 Mathematics, Sciences, and the Arts to be eligible for federal grants, and
23 allows the school the flexibility to become a charter school; and that this
24 act is immediately necessary to assist the Arkansas School for Mathematics,
25 Sciences, and the Arts. Therefore, an emergency is declared to exist and
26 this act being immediately necessary for the preservation of the public
27 peace, health, and safety shall become effective on:

28 (1) The date of its approval by the Governor;

29 (2) If the bill is neither approved nor vetoed by the Governor,
30 the expiration of the period of time during which the Governor may veto the
31 bill; or

32 (3) If the bill is vetoed by the Governor and the veto is
33 overridden, the date the last house overrides the veto.

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35 /s/ Mathis, et al
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