

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: H3/23/01*

# A Bill

**Act 1485 of 2001**  
HOUSE BILL 2653

5 By: Representative Cleveland  
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## **For An Act To Be Entitled**

9 AN ACT TO AMEND VARIOUS SECTIONS OF TITLE 6 OF  
10 THE ARKANSAS CODE RELATIVE TO SUPPLEMENTAL  
11 TEACHER PAY; TO DECLARE AN EMERGENCY; AND FOR  
12 OTHER PURPOSES.  
13

## **Subtitle**

14 AN ACT TO AMEND VARIOUS SECTIONS OF  
15 TITLE 6 OF THE ARKANSAS CODE RELATIVE TO  
16 SUPPLEMENTAL TEACHER PAY; TO DECLARE AN  
17 EMERGENCY.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code 6-17-204 is amended to read as follows:  
24 6-17-204. Incorporation into teachers' contracts.

25 (a) The personnel policies of ~~each school district~~ all school  
26 districts shall be considered to be incorporated as terms of the certified  
27 personnel contracts and shall be binding upon the certified personnel and the  
28 district.

29 (b)(1) Any changes or additions to the personnel policies shall not be  
30 considered a part of certified personnel contracts until the next fiscal  
31 year.

32 (2)(A) Any changes or additions to the personnel policies may  
33 take effect before the next fiscal year only if the changes or additions are  
34 approved by a majority of the certified personnel employed by the district  
35 voting by secret ballot.

36 (B) The voting and counting shall be conducted by the

1 personnel policy committee.

2 (3) All changes or additions to the personnel policies or new  
3 personnel policies shall be made in accordance with this subchapter.

4 (c)(1)(A) A district may adopt a uniform policy, in accordance with  
5 this subchapter, limiting the number of past years' experience for which all  
6 newly employed certified personnel will receive credit on the salary  
7 schedule.

8 (B) The policy shall be written so that a prospective  
9 certified employee can determine his or her placement on the salary schedule.

10 (2) A school district shall adopt, in accordance with this  
11 subchapter, a supplement to the salary schedule for those certified staff  
12 employed longer than the period covered by the salary schedule and for duties  
13 in addition to certified employees' regular teaching assignments.

14 (3) Compensation policies approved by the personnel policy  
15 committee shall not apply to the chief administrator who is charged with  
16 administration of salary policy for all employees.

17 (4) No certified person may waive payment according to the  
18 salary schedule.

19 (d) Under the provisions of the Educator's Compensation Act of 2001,  
20 no school district shall be prohibited from paying certified staff additional  
21 salary increases as a supplement to the salary schedule even though the  
22 certified staff is not employed an additional time period longer than the  
23 period covered by the salary schedule or required to perform duties in  
24 addition to the certified employees regular teaching assignments.

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26 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
27 General Assembly that recent litigation has created confusion as to the  
28 manner in which school districts pay certified employees and that not to  
29 address the issue would create confusion in the state's public school  
30 districts and among school personnel. Therefore, an emergency is declared to  
31 exist and this act being immediately necessary for the preservation of the  
32 public peace, health and safety shall become effective on July 1, 2001.

33 /s/ Clevel and

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36 APPROVED: 4/11/2001