

Stricken language will be deleted and underlined language will be added.
Act 217 of the Fiscal Session

1 State of Arkansas
2 93rd General Assembly
3 Fiscal Session, 2022
4

As Engrossed: S3/2/22

A Bill

SENATE BILL 64

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PUBLIC SCHOOL
9 FUND GRANTS FOR THE DEPARTMENT OF EDUCATION -
10 DIVISION OF ELEMENTARY AND SECONDARY EDUCATION -
11 PUBLIC SCHOOL FUND FOR THE FISCAL YEAR ENDING JUNE
12 30, 2023; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 DIVISION OF ELEMENTARY AND SECONDARY
17 EDUCATION - PUBLIC SCHOOL FUND
18 APPROPRIATION FOR THE 2022-2023 FISCAL
19 YEAR.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND
26 SPECIAL PROGRAMS. There is hereby appropriated, to the Department of
27 Education, to be payable from the Division of Elementary and Secondary
28 Education Public School Fund Account, for grants and aid to local school
29 districts and special programs of the Department of Education - Division of
30 Elementary and Secondary Education for the fiscal year ending June 30, 2023,
31 the following:
32

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2022-2023</u>
35 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
36 (02) ADVANCED PLACEMENT INCENTIVE	1,275,000



1	(03)	ALTERNATIVE LEARNING	35,783,095
2	(04)	ARKANSAS EASTER SEALS	193,113
3	(05)	ASSESSMENT/END OF LEVEL TESTING	20,309,189
4	(06)	AT RISK	1,688,530
5	(07)	BETTER CHANCE PROGRAM	\$114,000,000
6	(08)	BONDED DEBT ASSISTANCE	28,455,384
7	(09)	COMPUTER SCIENCE INITIATIVE	3,500,000
8	(10)	CONSOLIDATION INCENTIVE	5,981,400
9	(11)	CONTENT STANDARDS	161,000
10	(12)	CONTENTS STANDARDS CURRICULUM	
11		FRAMEWORKS	50,000
12	(13)	COOP EDUCATION TECH CENTERS	1,200,000
13	(14)	COORDINATED SCHOOL HEALTH	2,000,000
14	(15)	DECLINING ENROLLMENT	13,963,389
15	(16)	DEPT OF CORRECTION	8,702,425
16	(17)	DISTANCE LEARNING	4,760,000
17	(18)	DISTANCE LEARNING OPERATIONS	7,575,000
18	(19)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
19	(20)	ECONOMIC EDUCATION	400,000
20	(21)	EDUCATION SERVICE COOPERATIVES	6,129,270
21	(22)	EIDT SPECIAL EDUCATION SERVICES	6,000,000
22	(23)	ENGLISH LANGUAGE LEARNERS	19,075,847
23	(24)	ENHANCED STUDENT ACHIEVEMENT FUNDING	246,723,439
24	(25)	ENHANCED TRANSPORTATION FUNDING	7,200,000
25	(26)	ESA MATCHING GRANT PROGRAM	5,300,000
26	(27)	GIFTED & TALENTED	1,485,381
27	(28)	GRANTS TO SCHOOL DISTRICTS	67,856
28	(29)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
29	(30)	INTERVENTION BLOCK GRANTS	302,000
30	(31)	ISOLATED FUNDING	7,896,000
31	(32)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	1,400,000
32	(33)	MASTER PRINCIPAL BONUS	175,000
33	(34)	NATIONAL BOARD OF PROF TEACHING	
34		STANDARDS	18,738,000
35	(35)	NON-TRADITIONAL LICENSURE	50,000
36	(36)	OE CHARTER FAC FUNDING AID PROGRAM	9,075,000

1	(37)	POSITIVE YOUTH DEVELOPMENT GRANTS	5,000,000
2	(38)	PROFESSIONAL DEVELOPMENT FUNDING	37,175,911
3	(39)	PUBLIC SCHOOL EMPLOYEE INSURANCE	142,000,000
4	(40)	R.I.S.E. ARKANSAS	970,000
5	(41)	RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
6	(42)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
7	(43)	SCHOOL FOOD SERVICES	1,650,000
8	(44)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
9	(45)	SCHOOL FUNDING CONTINGENCY	25,000,000
10	(46)	SCHOOL RECOGNITION	7,000,000
11	(47)	SCHOOL WORKER DEFENSE	390,000
12	(48)	SERIOUS OFFENDER	1,716,859
13	(49)	SMART START/SMART STEP	10,666,303
14	(50)	SPECIAL EDUCATION SERVICES	2,802,527
15	(51)	SPECIAL EDUCATION-CATASTROPHIC	13,998,150
16	(52)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
17	(53)	STATE FOUNDATION FUNDING	2,206,861,456
18	(54)	STUDENT GROWTH	37,690,144
19	(55)	SURPLUS COMMODITIES	1,125,065
20	(56)	TEACHER LICENSING/MENTORING	6,065,758
21	(57)	TEACHER OF THE YEAR	100,000
22	(58)	TEACHER RECRUITMENT	2,100,000
23	(59)	TEACHER RETIREMENT MATCHING	14,776,754
24	(60)	TEACHER SALARY EQUALIZATION	60,000,000
25	(61)	TECHNOLOGY GRANTS	3,602,678
26	(62)	TECHNOLOGY IMPROVEMENTS	500,000
27	(63)	WORKER'S COMPENSATION	450,000
28	(64)	YOUTH SHELTERS	<u>165,000</u>
29		TOTAL AMOUNT APPROPRIATED	<u>\$3,233,266,080</u>

30

31 SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

32 There is hereby established for the Department of Education - Division of
 33 Elementary and Secondary Education - Arkansas Public School Computer Network
 34 for the 2022-2023 fiscal year, the following maximum number of regular
 35 employees.

36

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2022-2023
(1)	D105C ADE STATE NETWORK ENGINEER	1	GRADE IT09
(2)	D104C ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE IT08
(3)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(4)	D042C DATA WAREHOUSE SPECIALIST	1	GRADE IT06
(5)	D037C ADE APSCN APPLICATIONS MANAGER	3	GRADE IT05
(6)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
(7)	D055C ADE APSCN FIELD ANALYST	25	GRADE IT04
(8)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
(9)	N047N ADE APSCN DIRECTOR	1	GRADE GS15
(10)	G012C ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
(11)	G050C ADE APSCN DIVISION MANAGER	3	GRADE GS10
(12)	C020C STUDENT APPLICATIONS SPECIALIST	4	GRADE GS06
(13)	D077C HELP DESK SPECIALIST	2	GRADE GS05
(14)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
	MAX. NO. OF EMPLOYEES	48	

20

21 SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

22 There is hereby appropriated, to the Department of Education, to be payable
 23 from the Division of Elementary and Secondary Education Public School Fund
 24 Account, for personal services and operating expenses of the Department of
 25 Education - Division of Elementary and Secondary Education - Arkansas Public
 26 School Computer Network for the fiscal year ending June 30, 2023, the
 27 following:

28

ITEM	FISCAL YEAR
NO.	2022-2023
(01) REGULAR SALARIES	\$2,670,977
(02) PERSONAL SERVICES MATCHING	872,723
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	25,245,839
(B) CONF. & TRAVEL	7,250
(C) PROF. FEES	0

36

1	(D) CAP. OUTLAY	200,000
2	(E) DATA PROC.	0
3	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$29,296,789</u></u>

5

6 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
7 is hereby established for the Department of Education - Division of
8 Elementary and Secondary Education - Office of Education Renewal Zones for
9 the 2022-2023 fiscal year, the following maximum number of regular employees.

10

11		Maximum Annual
12		Salary Rate
13	Item Class	Fiscal Year
14	No. Code Title	2022-2023
15	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3 GRADE GS08
16	(2) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u> GRADE GS04
17	MAX. NO. OF EMPLOYEES	4

18

19 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
20 hereby appropriated, to the Department of Education, to be payable from the
21 Division of Elementary and Secondary Education Public School Fund Account,
22 for personal services, operating expenses, and grants by the Department of
23 Education - Division of Elementary and Secondary Education - Office of
24 Education Renewal Zones for the fiscal year ending June 30, 2023, the
25 following:

26

27	ITEM	FISCAL YEAR
28	NO.	2022-2023
29	(01) REGULAR SALARIES	\$168,180
30	(02) PERSONAL SERVICES MATCHING	60,231
31	(03) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	25,000
33	(B) CONF. & TRAVEL	3,000
34	(C) PROF. FEES	0
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	0

1	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,101,150</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,357,561</u></u>

3

4 SECTION 6. APPROPRIATION - EDUCATOR COMPENSATION REFORM GRANTS AND AID.

5 There is hereby appropriated, to the Department of Education, to be payable
6 from the Division of Elementary and Secondary Education Public School Fund
7 Account, for grants and aid to provide additional funding to school districts
8 currently below the statutory minimum teacher salary schedule by the
9 Department of Education - Division of Elementary and Secondary Education -
10 Educator Compensation Reform Grants and Aid for the fiscal year ending June
11 30, 2023, the following:

12

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2022-2023</u>
15	(01) EDUCATOR COMPENSATION REFORM PROGRAM	<u>\$60,000,000</u>

16

17 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.
19 ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for
20 R.I.S.E. Arkansas remaining on June 30, ~~2022~~ 2023, in the Division of
21 Elementary and Secondary Education Public School Fund Account shall be
22 designated and retained for the R.I.S.E. Arkansas. Any carry forward of
23 unexpected balance of funding as authorized herein, may be carried forward
24 under the following conditions:

25 (1) Prior to June 30, ~~2022~~ 2023 the Agency shall by written statement
26 set forth its reason(s) for the need to carry forward said funding to the
27 Department of Finance and Administration Office of Budget;

28 (2) The Department of Finance and Administration Office of Budget shall
29 report to the Arkansas Legislative Council or Joint Budget Committee all
30 amounts carried forward by the September Arkansas Legislative Council or
31 Joint Budget Committee meeting which report shall include the name of the
32 Agency, Board, Commission or Institution and the amount of the funding
33 carried forward, the program name or line item, the funding source of that
34 appropriation and a copy of the written request set forth in item (1) above;

35 (3) Each Agency, Board, Commission or Institution shall provide a
36 written report to the Arkansas Legislative Council or Joint Budget Committee

1 containing all information set forth in item (2) above, along with a written
2 statement as to the current status of the project, contract, purpose, etc.
3 for which the carry forward was originally requested no later than thirty
4 (30) days prior to the time the Agency, Board, Commission or Institution
5 presents its budget request to the Arkansas Legislative Council/Joint Budget
6 Committee; and

7 (4) Thereupon, the Department of Finance and Administration shall
8 include all information obtained in item (3) above in the budget manuals
9 and/or a statement of non-compliance by the Agency, Board, Commission or
10 Institution.

11 The provisions of this section shall be in effect only from July 1, ~~2021~~
12 2022 through June 30, ~~2022~~ 2023.

13

14 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
16 ALLOCATION. The appropriation for the Isolated Funding line item in the
17 Grants and Aid to Local School Districts and Special Programs section of this
18 Act may be fully funded. Any funding and appropriation for Isolated Funding
19 that is not utilized shall be transferred to the appropriation for Special
20 Needs Isolated Funding in the Grants and Aid to Local School Districts and
21 Special Programs section of this Act and shall be used there for fully
22 funding each subsection (c) through (f) of Arkansas Code § 6-20-604 on a pro
23 rata basis until the available funds are exhausted. Pro rata basis is defined
24 as providing each district qualifying for additional funding under
25 subsections (c) through (f) a proportionate share based on how each
26 district's additional funding amount bears to the total additional funding
27 amounts for all qualifying districts. If any funding and appropriation
28 remains after funding each subsection (c) through (f) of Arkansas Code § 6-
29 20-604 the remaining balance shall be used to fund the provisions of Arkansas
30 Code § 6-20-604 (h) on an equal basis until the available funds are
31 exhausted.

32 The provisions of this section shall be in effect only from July 1, ~~2021~~
33 2022 through June 30, ~~2022~~ 2023.

34

35 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO

1 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
2 Districts appropriation in the Grants and Aid to Local School Districts and
3 Special Programs section of this Act, "school district" means a school
4 district which contracts with a school district in an adjoining state for the
5 education of some of the pupils within the Arkansas school district because
6 the portion of the school district wherein such pupils live is completely
7 separated from the remainder of the school district by a reservoir covering
8 at least 12,000 acres at normal water level, and where to attend school in
9 their own district, the pupils of said portion would be required to travel or
10 to be transported a distance (measured by the nearest highway or road route)
11 of more than 35 miles round trip and pass through another school district or
12 districts. The Department of Education shall distribute the monies
13 appropriated for Grants to School Districts in the Grants and Aid to Local
14 School Districts and Special Programs section of this Act to such school
15 districts as reimbursement for expenses incurred in educating the pupils
16 residing in the separated portion of the school district. The payments are to
17 be limited to the amount of available appropriation. Such school districts
18 shall file a request for reimbursement with the Department of Education and
19 provide the Department of Education with such documentation as is deemed
20 necessary.

21 The provisions of this section shall be in effect only from July 1, ~~2021~~
22 2022 through June 30, ~~2022~~ 2023.

23

24 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
26 EDUCATION SERVICES. The funds appropriated in the line item "Special
27 Education Services" in the Grants and Aid to Local School Districts and
28 Special Programs section of this Act shall be used to provide extended year
29 summer programs for handicapped students in need of such services, to provide
30 special education services to foster children who are wards of the State, and
31 to provide funds for the payment of salaries of special education
32 supervisors. The Department of Education shall distribute such funds in the
33 manner necessary to carry out the intent of this Section.

34 The provisions of this section shall be in effect only from July 1, ~~2021~~
35 2022 through June 30, ~~2022~~ 2023.

36

1 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
4 Incentive shall be allocated in accordance with rules and regulations
5 established by the State Board of Education.

6 The provisions of this section shall be in effect only from July 1, ~~2021~~
7 2022 through June 30, ~~2022~~ 2023.

8
9 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
11 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
12 Residential Centers/Juvenile Detention shall be allocated in accordance with
13 rules and regulations established by the State Board of Education.

14 The provisions of this section shall be in effect only from July 1, ~~2021~~
15 2022 through June 30, ~~2022~~ 2023.

16
17 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
19 AUTHORITY. The Secretary of the Department of Education, with the approval of
20 the Chief Fiscal Officer of the State and after approval by the Arkansas
21 Legislative Council or Joint Budget Committee, is hereby authorized to
22 request necessary appropriation transfers and any other budget related
23 adjustments necessary within the Department of Education - Division of
24 Elementary and Secondary Education. Provided, however, that the Department
25 of Education - Division of Elementary and Secondary Education shall be
26 limited to submitting no more than two transfer requests during any fiscal
27 year.

28 Determining the maximum number of employees and the maximum amount of
29 appropriation and general revenue funding for a state agency each fiscal year
30 is the prerogative of the General Assembly. This is usually accomplished by
31 delineating such maximums in the appropriation act(s) for a state agency and
32 the general revenue allocations authorized for each fund and fund account by
33 amendment to the Revenue Stabilization law. Further, the General Assembly
34 has determined that the Department of Education may operate more efficiently
35 if some flexibility is provided to the Secretary of the Department of
36 Education authorizing broad powers under the Transfer Authority provision

1 herein. Therefore, it is both necessary and appropriate that the General
2 Assembly maintain oversight by requiring prior approval of the Legislative
3 Council or Joint Budget Committee as provided by this section. The
4 requirement of approval by the Legislative Council or Joint Budget Committee
5 is not a severable part of this section. If the requirement of approval by
6 the Legislative Council or Joint Budget Committee is ruled unconstitutional
7 by a court jurisdiction, this entire section is void.

8 The provisions of this section shall be in effect only from July 1, ~~2021~~
9 2022 through June 30, ~~2022~~ 2023.

10
11 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
13 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
14 authorized herein to the Department of Education for the Quiz Bowl each
15 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each
16 fiscal year may be made available to the Department of Education -
17 Educational Television Division for its documented costs associated with the
18 Quiz Bowl.

19 The provisions of this section shall be in effect only from July 1, ~~2021~~
20 2022 through June 30, ~~2022~~ 2023.

21
22 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
25 Districts shall pay the teacher retirement employer contribution rate for any
26 eligible employee in accordance with rules and regulations established by the
27 Teacher Retirement Board of Directors. The appropriation contained herein for
28 Teacher Retirement Matching each fiscal year shall be used to provide the
29 employer matching for employees of the Cooperative Education Services Areas,
30 Vocational Centers, Arkansas Easter Seals and the school operated by the
31 Department of Correction.

32 The provisions of this section shall be in effect only from July 1, ~~2021~~
33 2022 through June 30, ~~2022~~ 2023.

34
35 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER

1 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
2 authorized to expend a maximum of two percent (2%) of available funds for
3 administration of the Better Chance Program. Up to 1.8% of available funds
4 shall be used to administer the program and to monitor program grantees to
5 ensure compliance with programmatic standards. Prior to the utilization of
6 the remaining 0.2% of available funds, the Department of Education shall seek
7 prior review and approval of the Arkansas Legislative Council or Joint Budget
8 Committee by providing a written request to include the following: a) the
9 Department's reason(s) for the use of the funds and b) the amount of funds
10 that will be expended. The Department may contract with the Division of
11 Elementary and Secondary Education to administer the program.

12 Determining the maximum number of employees and the maximum amount of
13 appropriation and general revenue funding for a state agency each fiscal year
14 is the prerogative of the General Assembly. This is usually accomplished by
15 delineating such maximums in the appropriation act(s) for a state agency and
16 the general revenue allocations authorized for each fund and fund account by
17 amendment to the Revenue Stabilization law. Therefore, it is both necessary
18 and appropriate that the General Assembly maintain oversight by requiring
19 prior approval of the Legislative Council or Joint Budget Committee as
20 provided by this section. The requirement of approval by the Legislative
21 Council or Joint Budget Committee is not a severable part of this section.
22 If the requirement of approval by the Legislative Council or Joint Budget
23 Committee is ruled unconstitutional by a court of competent jurisdiction,
24 this entire section is void.

25 The provisions of this section shall be in effect only from July 1, ~~2021~~
26 2022 through June 30, ~~2022~~ 2023.

27

28 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
30 TEACHER SALARY. The Arkansas Department of Education is requested to
31 calculate Average Teacher Salary in the Department's Annual Statistical
32 Report to not include extra duty funds. Specifically, the Department is
33 requested to calculate the Average Teacher Salary amount using the National
34 Education Association definitions for Average Salary for Classroom Teachers.
35 The Arkansas Department of Education shall submit this data annually to the
36 National Education Association in accordance with that organization's

1 deadlines for submission for their report "Rankings and Estimates" which
2 includes state-by-state teacher salary comparisons.

3 The provisions of this section shall be in effect only from July 1, ~~2021~~
4 2022 through June 30, ~~2022~~ 2023.

5

6 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
8 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated
9 for the Arkansas Better Chance for School Success Program remaining on June
10 30, ~~2022~~ 2023, in the Division of Elementary and Secondary Education Public
11 School Fund Account shall be designated and retained for the Arkansas Better
12 Chance for School Success Program.

13 Any carry forward of unexpended balance of funding as authorized herein,
14 may be carried forward under the following conditions:

15 (1) Prior to June 30, ~~2022~~ 2023 the Agency shall by written statement set
16 forth its reason(s) for the need to carry forward said funding to the
17 Department of Finance and Administration Office of Budget;

18 (2) The Department of Finance and Administration Office of Budget shall
19 report to the Arkansas Legislative Council or Joint Budget Committee all
20 amounts carried forward by the September Arkansas Legislative Council or
21 Joint Budget Committee meeting which report shall include the name of the
22 Agency, Board, Commission or Institution and the amount of the funding
23 carried forward, the program name or line item, the funding source of that
24 appropriation and a copy of the written request set forth in (1) above;

25 (3) Each Agency, Board, Commission or Institution shall provide a written
26 report to the Arkansas Legislative Council or Joint Budget Committee
27 containing all information set forth in item (2) above, along with a written
28 statement as to the current status of the project, contract, purpose etc. for
29 which the carry forward was originally requested no later than thirty (30)
30 days prior to the time the Agency, Board, Commission or Institution presents
31 its budget request to the Arkansas Legislative Council/Joint Budget
32 Committee; and

33 (4) Thereupon, the Department of Finance and Administration shall include
34 all information obtained in item (3) above in the budget manuals and/or a
35 statement of non-compliance by the Agency, Board, Commission or Institution.

36 The provisions of this section shall be in effect only from July 1, ~~2021~~

1 2022 through June 30, ~~2022~~ 2023.

2

3 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
5 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division may use up to
6 eleven dollars and twenty cents (\$11.20) from each contribution made under
7 Arkansas Code §6-17-1117(a) to offset the cost of health insurance premiums
8 to eligible members electing to participate in the public school employees'
9 health insurance program as a retiree.

10 The provisions of this section shall be in effect only from July 1, ~~2021~~
11 2022 through June 30, ~~2022~~ 2023.

12

13 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
15 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
16 shall transfer on his books and those of the State Treasurer and the State
17 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
18 fiscal year from the Division of Elementary and Secondary Education Public
19 School Fund Account to the University of Arkansas at Little Rock Fund,
20 specifically to provide funding for the Arkansas/STRIVE Program. The total
21 amount of funds transferred each fiscal year pursuant to this section shall
22 not be subject to any indirect costs by the University of Arkansas at Little
23 Rock.

24 The provisions of this section shall be in effect only from July 1, ~~2021~~
25 2022 through June 30, ~~2022~~ 2023.

26

27 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
29 INSURANCE. The appropriation contained herein for Public School Employee
30 Insurance each fiscal year shall be used to provide the state contribution
31 for insurance premiums for employees of the Cooperative Education Services
32 Areas, Vocational Centers, and the school operated by the Department of
33 Correction who participate in the Arkansas Public School Life and Health
34 Insurance Program.

35 The provisions of this section shall be in effect only from July 1, ~~2021~~
36 2022 through June 30, ~~2022~~ 2023.

1
2 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

4 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
5 funding for Alternative Learning Environment Programs in excess of the
6 regulatory limitation of six (6) hours per day for those programs that
7 operate more than twelve hours per day, in a proportionate manner and upon
8 special request to the Department of Education.

9 The provisions of this section shall be in effect only from July 1, ~~2021~~
10 2022 through June 30, ~~2022~~ 2023.

11
12 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
14 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
15 public schools, or for abortion services. Funds shall be expended in
16 accordance with Arkansas Code Annotated §6-18-703.

17 The provisions of this section shall be in effect only from July 1, ~~2021~~
18 2022 through June 30, ~~2022~~ 2023.

19
20 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
22 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
23 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
24 addition to funds already being provided for the Arkansas Governor's School,
25 to fund the appropriation authorized from general revenue for the Gifted and
26 Talented program as appropriated in the Grants and Aid to Local School
27 Districts and Special Programs section herein. With this additional funding
28 either the department shall increase the number of grants for AEGIS summer
29 enrichment programs, or the duration of the Arkansas Governor's School shall
30 be extended from four (4) weeks to six (6) weeks.

31 The provisions of this section shall be in effect only from July 1, ~~2021~~
32 2022 through June 30, ~~2022~~ 2023.

33
34 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
36 FUNDING PROVISION. Of the total amount appropriated for Technology Grants

1 each fiscal year, an amount of not less than three million five thousand
2 dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each
3 fiscal year, shall be awarded through a grant or professional services
4 contract for the EAST Initiative. Not less than one million dollars
5 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or
6 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST
7 Initiatives shall be used for EAST infrastructure and personnel growth for
8 the establishment of new programs. The remaining funding shall be used for
9 existing EAST infrastructure, personnel, and operating expenses of the EAST
10 Initiative. The EAST infrastructure grant or contract for personal services
11 and operating expenses shall be awarded to an entity that has personnel or
12 experience, or both, in implementing the EAST Initiative.

13 The provisions of this section shall be in effect only from July 1, ~~2021~~
14 2022 through June 30, ~~2022~~ 2023.

15

16 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
18 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
19 shall make available from the Intervention Block Grants appropriation
20 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
21 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
22 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for
23 grants up to \$1,000 each for students and chaperones, thirteen thousand five
24 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one
25 hundred thousand dollars (\$100,000) each fiscal year for the State History
26 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year
27 for a grant to the Arkansas Science Fair Association for grants to regional
28 and the state science fairs. The Department of Education shall allocate
29 General Revenue funding totaling no less than three hundred two thousand
30 dollars (\$302,000) each fiscal year from the Division of Elementary and
31 Secondary Education Public School Fund Account to support the annual expenses
32 of the Quiz Bowl, the Creativity in Arkansas, Inc. for grants up to \$1,000
33 each for students and chaperones, Destination Imagination, the State History
34 Day Competition, and the Arkansas Science Fair Association for grants to
35 regional and state science fairs. The Department shall either expend or have
36 committed for expenditure the monies allocated for the Quiz Bowl, Creativity

1 in Arkansas, Inc., Destination Imagination, the State History Day
2 Competition, and Arkansas Science Fair Association grants as authorized
3 herein in order to fulfill the provisions of this section.

4 The provisions of this section shall be in effect only from July 1, ~~2021~~
5 2022 through June 30, ~~2022~~ 2023.

6

7 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
9 PROFESSIONAL DEVELOPMENT.

10 (a) Of the total amount appropriated for Professional Development
11 Funding, three million five hundred thousand dollars (\$3,500,000) may be
12 authorized by the Commissioner of the Department of Education to be used by
13 the Department of Education to develop and implement statewide professional
14 development support systems for teachers that will benefit student
15 achievement.

16 (b)(1) The Department of Education shall annually report the following
17 information concerning the Arkansas Online Professional Development
18 Initiative under § 6-17-707:

- 19 (1) Annual expenditure information;
20 (2) Statistical information pertaining to users of the
21 initiative;
22 (3) Course offerings;
23 (4) Course hours completed; and
24 (5) Certificates awarded.

25 (2) The report under subsection (b)(1) of this section shall be
26 annually submitted by August 1 to the:

- 27 (1) Governor;
28 (2) Legislative Council or, if the General Assembly is
29 in session, the Joint Budget Committee;
30 (3) Senate Committee on Education;
31 (4) House Committee on Education; and
32 (5) Department of Finance and Administration.

33 (c) The provisions of this section shall be in effect only from July 1,
34 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

35

36 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NSL
2 MATCHING GRANT PROGRAM.

3 (a)(1) Of the appropriation and funding for the NSL MATCHING GRANT
4 PROGRAM Item in the Grants and Aid to Local School Districts and Special
5 Programs section of this Act, five million three hundred thousand dollars
6 (\$5,300,000) shall be set aside by the Department of Education and shall be
7 used for school district expenditures for evidence-based programs to improve
8 academic achievement of identified national school lunch students.

9 (2) These programs shall be limited to:

10 (A) Tutors as set out in § 6-20-2305(b)(4)(C)(i)(b)(4);

11 (B) Before-school academic programs and after-school academic
12 programs, including transportation to and from the programs
13 under § 6-20-2305(b)(4)(C)(i)(b)(2); and

14 (C) Prekindergarten programs under § 6-20-2305(b)(4)(C)(i)(b)(3).

15 (b)(1) Set aside funds authorized in subsection (a) of this section
16 shall be distributed to school districts on a dollar for dollar matching
17 basis of school district expenditures for programs under subsection (a) of
18 this section on a pro rata basis until the available funds are exhausted.

19 (2) As used in this subsection, "pro rata basis" means providing
20 each district qualifying for additional funding in a proportionate share
21 based on how each district's expenditure bears to the total of funding
22 provided in subsection (a) of this section for all qualifying districts as
23 determined by the Department of Education.

24 (c) If any funding remains after funding subsection (b) of this
25 section, that remaining balance shall be carried over to the following fiscal
26 year for the same purposes as provided in this section.

27 (d) The Department of Education shall adopt rules as necessary to
28 implement this section.

29 (e) The provisions of this section shall be in effect only from July 1,
30 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

31

32 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.
34 ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in the
35 Grants and Aid to Local School Districts and Special Programs section of this
36 Act shall be used for the coordination of a statewide reading campaign with

1 community partners, parents, and teachers to establish the importance of
2 reading in homes, schools, and communities.

3 The provisions of this section shall be in effect only from July 1,
4 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

5
6 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR
8 COMPENSATION REFORM SUB-FUND. Funds shall be kept separate from all other
9 monies in the Public School Fund and are to be utilized over a four-year
10 period, beginning July 1, 2019, to assist school districts in ensuring that
11 all educators in Arkansas public school districts receive a minimum annual
12 salary of \$36,000 by July 1, 2023. The Educator Compensation Reform Fund
13 shall not be considered part of a school district's net legal balance or net
14 legal balance revenues for the purpose of meeting the requirements on
15 limitation of fund balances pursuant to A.C.A. 6-20-2210. The Arkansas
16 Department of Education shall promulgate rules to administer this section.

17 The provisions of this section shall be in effect only from July 1,
18 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

19
20 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ENHANCED
22 STUDENT ACHIEVEMENT FUNDING NAME CHANGE. Any appropriation titled "ENHANCED
23 STUDENT ACHIEVEMENT FUNDING" or abbreviated as "ESA" as named by SB605 of
24 2019 may also be known as "NATIONAL SCHOOL LUNCH" funding or abbreviated as
25 "NSL" and shall be used for the same purposes as set out in law.

26 The provisions of this section shall be in effect only from July 1, ~~2021~~
27 2022 through June 30, ~~2022~~ 2023.

28
29 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
31 GOVERNOR'S SCHOOL CURRICULUM. Prior to the beginning of the Arkansas
32 Governor's School Program each year, the Arkansas Department of Education
33 shall review and approve the proposed curriculum for the program year and
34 shall maintain oversight of its implementation for consistency and accuracy.

35 The provisions of this section shall be in effect only from July 1,
36 2022 through June 30, 2023.

1
2 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
3 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
4 ENHANCED STUDENT ACHIEVEMENT FUNDING. The Enhanced Student Achievement
5 Funding appropriation in the Grants and Aid to Local School Districts and
6 Special Programs section of this Act is to be disbursed according to the
7 provisions under Arkansas Code § 6-20-2305(b)(4).

8 (a)(1) In 2020, as a result of the coronavirus 2019 (COVID-19)
9 pandemic, the United States Department of Agriculture implemented the
10 Seamless Summer Option, which:

11 (A) Allows all public school students to receive a meal from the
12 public school in which he or she is enrolled at no charge, regardless of his
13 or her free or reduced-price lunch status; and

14 (B) Has resulted in a significantly lower number of income
15 verification forms being completed, which are used to verify the students who
16 qualify for a free or reduced-price school meal.

17 (2) Under Arkansas Code § 6-20-2305(b)(4), the calculation of the
18 amount of Enhanced Student Achievement Funding that a public school district
19 receives is based on the percentage of enrolled students who qualify as
20 national school lunch students, which is based on income verification forms
21 submitted on behalf of students.

22 (b) Notwithstanding the provisions established under Arkansas Code §
23 6-20-2305(b)(4), for Fiscal Year 2023, a public school district shall not
24 receive less Enhanced Student Achievement Funding than the amount it received
25 in Fiscal Year 2022. Any public school district entitled to Enhanced Student
26 Achievement Funding above the amount that was received in Fiscal Year 2022
27 due to an increased number of identified national school lunch students shall
28 receive the Enhanced Student Achievement Funding amount as calculated under
29 Arkansas Code § 6-20-2305(b)(4).

30 (c) The provisions of this section shall be in effect only from July 1,
31 2022 through June 30, 2023.

32
33 SECTION 34. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-10-
34 106(a)(1)(A), concerning the school year start date, is amended to read as
35 follows:

36 (a)(1)(A) Beginning with the ~~2022-2023~~ 2023-2024 school year, the

1 *first day of the school year for student attendance in public elementary and*
2 *secondary schools shall not be earlier than the Monday two (2) weeks before*
3 *Labor Day*

4
5 SECTION 35. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
6 authorized by this act shall be limited to the appropriation for such agency
7 and funds made available by law for the support of such appropriations; and
8 the restrictions of the State Procurement Law, the General Accounting and
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
10 Procedures and Restrictions Act, or their successors, and other fiscal
11 control laws of this State, where applicable, and regulations promulgated by
12 the Department of Finance and Administration, as authorized by law, shall be
13 strictly complied with in disbursement of said funds.

14
15 SECTION 36. LEGISLATIVE INTENT. It is the intent of the General
16 Assembly that any funds disbursed under the authority of the appropriations
17 contained in this act shall be in compliance with the stated reasons for
18 which this act was adopted, as evidenced by the Agency Requests, Executive
19 Recommendations and Legislative Recommendations contained in the budget
20 manuals prepared by the Department of Finance and Administration, letters, or
21 summarized oral testimony in the official minutes of the Arkansas Legislative
22 Council or Joint Budget Committee which relate to its passage and adoption.

23
24 SECTION 37. EFFECTIVE DATE. This act is effective on and after July 1,
25 2022.

26
27 */s/Joint Budget Committee*

28
29
30 **APPROVED: 3/8/22**