1	State of Arkansas	As Engrossed: \$1/8/04	Call	Item 4
2	84th General Assembly	A Bill		
3	Second Extraordinary Session, 2003		HOUSE BILL	1035
4				
5	By: Representatives Cleveland, P. E	Bookout, Chesterfield, Dangeau, Fite,	J. Johnson, Moore, Seawe	:1,
6	Thomas, Weaver, White			
7				
8				
9	F	For An Act To Be Entitled		
10	AN ACT TO CRI	EATE THE ARKANSAS TEACHER SA	LARY AND	
11	COMPENSATION	STUDY COMMISSION OF THE DEP	ARTMENT	
12	OF EDUCATION	; AND FOR OTHER PURPOSES.		
13				
14		Subtitle		
15	AN ACT TO	CREATE THE ARKANSAS		
16	TEACHER SA	ALARY AND COMPENSATION STUDY		
17	COMMISSION	Ν.		
18				
19				
20	BE IT ENACTED BY THE GENERA	AL ASSEMBLY OF THE STATE OF A	ARKANSAS:	
21				
22		e is established a commission		<u>he</u>
23		nd Compensation Study Commiss		
24		shall consist of eleven (11)		<u>:</u>
25		nembers appointed by the Gove		
26		(2) members selected from a		
27		the Arkansas School Boards		<u>er</u>
28	-	e effective date of this act	<u> </u>	
29	_ 	(2) members who are teachers		<u>d a</u>
30		are presently teaching in a p	public school in	
31	Arkansas;			_
32		members appointed by the Pro	<u>esident Pro Tempore</u>	<u>of</u>
33	the Senate as follows:			
34		(1) person selected from a		<u>an</u>
35		the Arkansas Association of		
36	Administrators no later tha	an five (5) days from the ef:	fective date of thi	S

1	act;
2	(B) One (1) person selected from a list of no fewer than
3	five (5) names submitted by the Arkansas Education Association no later than
4	five (5) days from the effective date of this act; and
5	(C) One (1) person selected from a list of no fewer than
6	five (5) names submitted by the Arkansas Rural Education Association no later
7	than five (5) days from the effective date of this act;
8	(3) Three (3) members appointed by the Speaker of the House of
9	Representatives as follows:
10	(A) One (1) person, who shall be a superintendent of an
11	Arkansas public school, selected from a list of no fewer than five (5) names
12	of superintendents submitted by the Arkansas Association of Educational
13	Administrators no later than five (5) days from the effective date of this
14	act;
15	(B) One (1) person selected from a list of no fewer than
16	five (5) names submitted by the Arkansas Education Association no later than
17	five (5) days from the effective date of this act; and
18	(C) One (1) person selected from a list of no fewer than
19	five (5) names submitted by the Arkansas Rural Education Association no later
20	than five (5) days from the effective date of this act; and
21	(4) One (1) member jointly appointed by the Speaker of the House
22	of Representatives and the President Pro Tempore of the Senate who is a
23	member of a state or national parent teacher association.
24	(c) The appointed commission members shall be residents of the State
25	of Arkansas at the time of appointment and throughout their term.
26	(d)(1) All appointments shall be made no later than ten (10) days
27	after the effective date of this act.
28	(2) If any association fails to submit a list within five (5)
29	days from the effective date of this act, the appointing official who did not
30	receive a list may make an appointment from the state at large.
31	(e)(1) If a vacancy occurs in an appointed position for any reason,
32	the vacancy shall be filled by appointment by the official that made the
33	appointment.
34	(2) The new appointee shall serve for the remainder of the
35	unexpired term.
36	(f) The superintendent appointed by the Speaker of the House of

Representatives shall serve as chairperson.

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2	(g)(1) The commission shall meet at such times and places that the		
3	chairperson deems necessary but no meetings shall be held outside of the		
4	State of Arkansas.		
5	(2) The chairperson shall call an organizational meeting no		
6	fewer than ten (10) days after all the members are appointed.		
7	(3) Six (6) of the members of the commission shall constitute a		
8	quorum for the purpose of transacting business.		
9	(4) All action of the commission shall be by a quorum.		
10	(h) The commission shall:		
11	(1) Develop market studies to define the amount of compensation		
12	and types of benefits that will be necessary to recruit and retain teachers		
13	for Arkansas public schools;		
14	(2) Develop strategies that would create a procedure to provide		
15	substantially equal teachers' salaries throughout the state taking into		
16	consideration the cost of living in various parts of the state and other		
17	economic factors;		
18	(3) Design plans for correcting disparities in teachers'		
19	salaries throughout the state;		
20	(4) Recommend a starting salary and benefits package, including		
21	stipends and other supplemental pay, that would make Arkansas competitive		
22	with other states for teacher recruitment purposes;		
23	(5) Equate any recommended teacher compensation package,		
24	including stipends and other supplemental pay, with that offered by		
25	surrounding states;		
26	(6) Recommend superintendent compensation packages;		
27	(7) Conduct market studies and other related studies that the		
28	commission deems relevant to address the salary issues raised by the Arkansas		
29	Supreme Court in the decision of Lake View School District No. 25 v.		
30	Huckabee, 351 Ark. 31 (2002); and		
31	(8) Provide a report to the Chairperson of the House Committee		
32	on Education, the Chairperson of the Senate Committee on Education, the		
33	Chairperson of the House Interim Committee on Education, the Chairperson of		
34	the Senate Interim Committee on Education, and the Governor by September 1,		
35	2004, and no less than quarterly thereafter or as requested by any		
36	legislative committee or the Governor.		

1	(i) The committee may make recommendations regarding compensation for
2	classified employees.
3	(j)(1) The Department of Education shall provide staff and office
4	space to the commission.
5	(2)(A) The members of the commission shall serve without pay.
6	(B) All members of the commission may receive expense
7	reimbursement in accordance with Arkansas Code § 25-16-902 to be paid by the
8	Department of Education.
9	(k) The Department of Education shall make available funds
10	appropriated in Act 1245 of 2003 available for the expenses associated with
11	the work of the commission.
12	(1) This section shall expire on December 31, 2005 unless extended by
13	an act of the General Assembly.
14	
15	SECTION 2. ARKANSAS TEACHER SALARY AND COMPENSATION STUDY COMMISSION
16	FUNDING PROVISION. Of the appropriation authorized by Act 1245 of 2003,
17	Regular Session, for the necessary expenses associated with the Arkansas
18	Teacher Salary and Compensation Study Commission of the Department of
19	Education shall allocate and make available one hundred seventy-five thousand
20	dollars (175,000) from the Department of Education Public School Fund Account
21	to fund the expenses of the Arkansas Teacher Salary and Compensation Study
22	Commission established by this Act. The Department of Education shall either
23	expend or have committed for expenditure the monies allocated for the
24	Arkansas Teacher Salary and Compensation Study Commission in order to fulfill
25	the provisions of this section.
26	
27	SECTION 3. Arkansas Code § 6-17-806 is repealed.
28	6-17-806. Arkansas Teachers' Salaries Study Commission.
29	(a)(1) There is created the Arkansas Teachers' Salaries Study
30	Commission.
31	(2) It shall be composed of:
32	(A) The Chairman of the House Education Committee or his
33	appointee;
34	(B) The Chairman of the Senate Education Committee or his
35	appointee;
36	(C) The Director of the Department of Education;

1	(D) The Director of the Department of Workforce Education;
2	(E) One (1) representative of the Arkansas Association of
3	Educational Administrators;
4	(F) One (1) representative of the Arkansas Education
5	Association;
6	(G) One (1) representative of the Arkansas School Boards
7	Association;
8	(H) The following persons appointed by the Covernor:
9	(i) One (1) public school teacher;
10	(ii) One (1) public school superintendent; and
11	(iii) Two (2) lay persons from the state at large.
12	(b) The Arkansas Teachers' Salaries Study Commission shall conduct its
13	study of the disparity in teachers' salaries among the state's school
14	districts and among other states and report the results of its study, along
15	with any recommendations, to each session of the General Assembly.
16	
17	SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
18	General Assembly of the State of Arkansas that the Arkansas Supreme Court has
19	ruled that the current system of education in Arkansas is inadequate and
20	inequitable and has instructed the General Assembly to define what is
21	necessary to provide an adequate and equitable education for the children of
22	Arkansas which shall include as a basic component substantially equal
23	teachers' salaries. A committee must be formed immediately to allow the
24	commission sufficient time to complete the initial report of the committee
25	before the September 1, 2004 deadline. Therefore, an emergency is declared
26	to exist and this act being immediately necessary for the preservation of the
27	public 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, the
30	expiration of the period of time during which the Governor may veto the bill;
31	<u>or</u>
32	(3) If the bill is vetoed by the Governor and the veto is overridden,
33	the date the last house overrides the veto.
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35	/s/ Cleveland
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