

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

Call Item 4

# A Bill

HOUSE BILL 1081

5 By: Representative Walters  
6 By: Senator Altes  
7

## For An Act To Be Entitled

10 AN ACT TO CREATE A SUPPLEMENTAL TEACHER SALARY  
11 PLAN FOR DISTRICTS UNABLE TO MEET TEACHER SALARY  
12 INCREASE REQUIREMENTS; AND FOR OTHER PURPOSES.  
13

## Subtitle

15 AN ACT TO CREATE A SUPPLEMENTAL TEACHER  
16 SALARY PLAN FOR DISTRICTS UNABLE TO MEET  
17 TEACHER SALARY INCREASE REQUIREMENTS.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. (a) As used in this section:

23 (1) "Average daily membership" means the total number of days  
24 attended plus the total number of days absent by students in grades  
25 kindergarten through twelve (K-12) during the first three (3) quarters of  
26 each school year divided by the number of school days actually taught in the  
27 district during that period of time rounded up to the nearest hundredth. In  
28 those instances in which the average daily membership for less than three (3)  
29 quarters is specified, the number of days used in the calculation shall be  
30 the days in the specified period of time. As applied to this subchapter,  
31 students who may be counted for average daily membership are:

32 (A) Students who reside within the boundaries of the  
33 school district and who are enrolled in a public school operated by the  
34 district or a private school for special education students, with their  
35 attendance resulting from a written tuition agreement approved by the  
36 Department of Education;





1 district's entry salary meets or exceeds the state entry salary.

2  
3 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
4 General Assembly of the State of Arkansas that the Arkansas Supreme Court in  
5 Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the  
6 current system of education to be unconstitutional because it is both  
7 inequitable and inadequate; and the Arkansas Supreme Court set forth the test  
8 for a constitutional system to be one in which the State has an "absolute  
9 duty" to provide an "equal opportunity to an adequate education"; the  
10 Arkansas Supreme Court instructed the General Assembly to undertake actions  
11 as necessary to provide an opportunity for an adequate and equitable  
12 education for the children of Arkansas; and the provisions of this bill are  
13 necessary steps toward accomplishing that goal. Therefore, an emergency is  
14 declared to exist and this act being immediately necessary for the  
15 preservation of the public peace, health, and safety shall become effective  
16 on:

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

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

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