1	State of Arkansas	A Bill	Call	Item 4
2	84th General Assembly		HOUSE DILL	1001
3	Second Extraordinary Session, 2	2003	HOUSE BILL	1081
4	Dy: Danragantativa Waltara			
5 6	By: Representative Walters By: Senator Altes			
7	by. Schatol Altes			
8				
9		For An Act To Be Entitled		
10	AN ACT TO	CREATE A SUPPLEMENTAL TEACHER SALA	ARY	
11		DISTRICTS UNABLE TO MEET TEACHER SA		
12		REQUIREMENTS; AND FOR OTHER PURPOSE		
13		·		
14		Subtitle		
15	AN ACT	TO CREATE A SUPPLEMENTAL TEACHER		
16	SALARY	PLAN FOR DISTRICTS UNABLE TO MEET		
17	TEACHE	ER SALARY INCREASE REQUIREMENTS.		
18				
19				
20	BE IT ENACTED BY THE GE	NERAL ASSEMBLY OF THE STATE OF ARKA	NSAS:	
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22	SECTION 1. (a)	As used in this section:		
23	<u>(1) "Avera</u>	ge daily membership" means the tota	1 number of day	<u>'s</u>
24	attended plus the total	number of days absent by students	<u>in grades</u>	
25	kindergarten through tw	elve (K-12) during the first three	(3) quarters of	<u>:</u>
26	each school year divide	d by the number of school days actu	ally taught in	the
27		riod of time rounded up to the near		
28		h the average daily membership for		
29		the number of days used in the calc		<u>e</u>
30		ed period of time. As applied to th	_	
31		nted for average daily membership a		
32		Students who reside within the bound	-	
33		are enrolled in a public school op	<u>.</u>	
34		chool for special education student	<u> </u>	
35		om a written tuition agreement appr	oved by the	
36	Department of Education	<u>i</u>		



1	(B) Legally transferred students living outside the		
2	district but attending a public school in the district; and		
3	(C) Students who reside within the boundaries of the		
4	school district and who are enrolled in the Arkansas National Guard Youth		
5	Challenge Program, so long as the students are participants in the program;		
6	for the previous school year;		
7	(2) "District entry salary" means the salary for a teacher with		
8	a bachelor's degree and no experience based upon the school district's salar		
9	schedule for the 2002-2003 school year; and		
10	(3) "State entry salary" means the salary for a classroom		
11	teacher with a bachelor's degree and no experience required by state law for		
12	the current school year.		
13	(b)(1) Any school district with a district entry salary for the		
14	previous school year that is less than the state entry salary required by		
15	state law shall be entitled to receive a salary supplement calculated as		
16	follows:		
17	(A) The district's average daily membership for the		
18	previous school year shall be divided by twelve (12);		
19	(B) The quotient of subdivision (b)(1)(A) shall be		
20	multiplied by the positive result of the state entry salary minus the		
21	district entry salary;		
22	(C) The product of subdivision (b)(1)(B) shall be		
23	multiplied by one hundred and twenty-five percent (125%); and		
24	(D) The product of subdivision (b)(1)(C) shall be the		
25	amount of the district's salary supplement.		
26	(2) The following is an example of the formula set forth under		
27	subsection (b) of this section:		
28			
29	[(ADM +12) X (State entry salary- District entry salary)] X (1.25) =		
30	District's Salary Supplement		
31			
32	(c)(1) Any district with a district entry salary that meets or exceed		
33	the state entry salary shall not receive a salary supplement under this		
34	section.		
35	(2) Nothing in this section shall be construed to cause a		
36	reduction in any funding received by a school district, even if the		

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.		
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