

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

Call Item 4

# A Bill

HOUSE BILL 1127

5 By: Representative Mahony  
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7

## For An Act To Be Entitled

9 AN ACT TO CREATE A TASK FORCE ON TEACHER  
10 COMPENSATION; TO PILOT AND IMPLEMENT A PROGRAM  
11 FOR TEACHER COMPENSATION REFORM; AND FOR OTHER  
12 PURPOSES.  
13

## Subtitle

15 AN ACT TO CREATE A TASK FORCE ON TEACHER  
16 COMPENSATION AND TO PILOT AND IMPLEMENT  
17 A PROGRAM FOR TEACHER COMPENSATION  
18 REFORM.  
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. (a) The General Assembly recognizes the mandate of the  
24 Arkansas Supreme Court and the recommendation of the Joint Committee on  
25 Educational Adequacy to create a new system of teacher compensation that will  
26 reflect the educational needs of the students in Arkansas.

27 (b) The General Assembly also recognizes that in order to create a new  
28 teacher compensation system, a pilot program must be developed and monitored.

29 (c) The General Assembly further recognizes that, while any study  
30 performed is an integral component towards satisfying the requirements  
31 imposed by the Arkansas Supreme Court's decision in the Lake View case, the  
32 General Assembly is ultimately responsible for making the final determination  
33 of what satisfies the constitutional requirements.  
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35 SECTION 2. (a)(1) There is created a task force to be known as the  
36 Task Force on Teacher Compensation.



1           (2) The work of the task force will result in a new office  
 2 within the Arkansas Department of Education, called the Arkansas Teacher  
 3 Excellence Initiative.

4           (3) The on-going mission of Arkansas Teacher Excellence  
 5 Initiative will be to monitor and assure that the school-based performance  
 6 award and knowledge and skill-based pay programs continue to achieve their  
 7 mission and objectives, ultimately leading to adequate education and improved  
 8 student learning and achievement.

9           (b)(1) The task force shall consist of thirteen (13) members to be  
 10 appointed by the Director of the Department of Education as follows:

11                   (A) Two (2) members of the Arkansas Education Association;

12                   (B) Two (2) members of the Arkansas Association of  
 13 Educational Administrators;

14                   (C) Two (2) members of the Arkansas School Boards  
 15 Association;

16                   (D) Two (2) members of the Arkansas State Chamber of  
 17 Commerce;

18                   (E) Two (2) members who are representative of rural  
 19 schools;

20                   (F) Two (2) members of the Arkansas Parent Teacher  
 21 Association;

22                   (G) Two (2) teachers who have received a Milken Educator  
 23 Award;

24                   (H) One (1) member of the Arkansas Association of  
 25 Professional Educators; and

26                   (I) The director or his proxy in an ex officio capacity.

27           (2) To the extent practicable, the director shall appoint to the  
 28 task force authorized by this act those individuals who were appointed to the  
 29 Ad Hoc Subcommittee of Educational Stakeholders created by the Joint  
 30 Committee on Educational Adequacy created by Act 94 of 2003.

31           (c) The interim chair of the task force shall be appointed by the  
 32 director until the task force elects its own officers.

33           (d) If a vacancy occurs in an appointed position for any reason, the  
 34 vacancy shall be filled in the same manner as the original appointment.

35           (e)(1) The task force shall meet upon call of the chair of the task  
 36 force.

1           (2) Seven (7) members of the task force shall constitute a  
2 quorum for the purpose of transacting business.

3           (3) A quorum is required for any action of the task force.

4           (f) The mission of the task force is to implement the recommendations  
5 in the Reports and Recommendations of the Joint Committee on Educational  
6 Adequacy of the Arkansas General Assembly, September 1, 2003, by assuring  
7 that teachers acquire and use the knowledge and skills that will lead to  
8 improved student learning and achievement.

9           (g) Specifically, the task force shall:

10           (1) Review the opinion of the Arkansas Supreme Court in the  
11 matter of Lake View School District No. 25 of Phillips County, Arkansas, et  
12 al., vs. Governor Mike Huckabee, et al. issued on November 21, 2002, and use  
13 the opinion and other legal precedent cited by the court in the task force's  
14 deliberations;

15           (2) Review the Reports and Recommendations of the Joint  
16 Committee on Educational Adequacy of the Arkansas General Assembly, September  
17 1, 2003;

18           (3) Develop and implement a school-based performance award  
19 program;

20           (4) Develop, pilot, and implement a knowledge and skills-based  
21 pay program;

22           (5) Develop, pilot, and implement an assessment process to  
23 assess teacher knowledge and skills that will be used to place teachers in  
24 performance categories in the knowledge and skill-based pay program; and

25           (6) Align all professional development programs around the  
26 acquisition and deployment of teacher knowledge and skills that will yield  
27 continuous improvement in student learning and achievement.

28           (h)(1) The task force will accomplish the following milestones with  
29 respect to school-based performance awards the first year, which shall be  
30 January 2004 through August 2004:

31                   (A) Develop a school-based performance award program;

32                   (B) Adapt the current measuring performance honors program  
33 to the school-based performance award program; and

34                   (C) Develop the school-based performance award program for  
35 implementation beginning in the 2004-2005 school year.

36           (2) The task force, in cooperation with the Department of

1 Education, will accomplish the following milestones with respect to  
 2 knowledge and skill-based pay program in the first year which shall be  
 3 January 2004 through August 2004:

4 (A) Establish a vision for instruction;

5 (B) Identify standards and rubrics for assessing teacher  
 6 knowledge and skills;

7 (C) Tailor such standards and rubrics;

8 (D) Define the assessment process;

9 (E) Pretest the assessment process;

10 (F) Conduct financial analyses to determine costs of the  
 11 knowledge and skill-based pay program;

12 (G) Develop administrative guidelines for the knowledge  
 13 and skill-based pay program; and

14 (H) Establish the adders for subject area shortages and  
 15 geographical shortages recommended in the Reports and Recommendations of  
 16 the Joint Committee on Educational Adequacy of the Arkansas General  
 17 Assembly, September 1, 2003.

18 (3)(A) The task force, in cooperation with the Department of  
 19 Education, will accomplish the following milestones with respect to  
 20 school-based performance award program the second year which shall be  
 21 September 2004 through August 2005:

22 (i) Implement the school-based performance award  
 23 program;

24 (ii) Conduct a formative evaluation of the school-  
 25 based performance award program; and

26 (iii) Modify the school-based performance award  
 27 program if necessary. Evaluation and revision of the school-based  
 28 performance award program on an on-going basis will be the responsibility  
 29 of the Department.

30 (B) The task force, in cooperation with the Department of  
 31 Education, will accomplish the following milestones with respect to the  
 32 knowledge and skill-based pay program in the second year which shall be  
 33 September 2004 through August 2005:

34 (i) Conduct a knowledge and skill-based pay pilot  
 35 program and a formative evaluation of that pilot program;

36 (ii) Analyze formative evaluation data with regard

1 to the pilot program; and

2 (iii) Debrief on the pilot program findings and  
 3 revise the snowledge and skill-based pay program accordingly.

4 (4) The task force, in cooperation with the Department of  
 5 Education, will accomplish the following milestones with respect to knowledge  
 6 and skill-based pay program in the third year which shall be September 2005  
 7 through August 2006:

8 (A) Implement the knowledge and skill-based pay program;

9 (B) Conduct a formative evaluation of the implementation;

10 and

11 (C) Recommend any changes in the knowledge and skill-based  
 12 pay program. Evaluation and revision of the knowledge and skill based pay  
 13 program on an on-going basis will be the responsibility of the Department of  
 14 Education.

15 (i)(1) The task force shall report its findings and recommendations on  
 16 three (3) occasions:

17 (A) On August 1, 2004, the task force shall give an  
 18 interim report to the House Interim Committee on Education and the Senate  
 19 Interim Committee on Education;

20 (B) On December 31, 2004, the task force shall give a  
 21 report and recommendations to the House Interim Committee on Education and  
 22 the Senate Interim Committee on Education that shall include any new  
 23 legislation that the task force believes should be considered by the Eighty  
 24 Fifth General Assembly; and

25 (C) On August 1, 2004, the task force shall submit its  
 26 final report and recommendations to the House Interim Committee on Education  
 27 and the Senate Interim Committee on Education.

28 (2) The report shall include for each recommendation, proposed  
 29 implementation schedules with timelines, specific steps, agencies and persons  
 30 responsible, and resources needed.

31 (3) Where feasible, all plans, measures, and initiatives shall  
 32 be proposed as recommendations for legislation or regulation.

33 (j) The Department of Education, the Department of Workforce  
 34 Education, and the Department of Higher Education shall provide the task  
 35 force with assistance as requested by the task force.

36 (k) The Attorney General is requested to provide assistance to the

1 task force as needed.

2 (1)(1) The task force may hire or contract with individuals or  
3 entities, both within the state or from out-of-state, for the purpose of  
4 obtaining staff or otherwise performing the duties of the task force to the  
5 extent funding is appropriated and available for that purpose.

6 (2) The Department of Education shall furnish a reasonable  
7 number of staff members to assist to the task force as may be requested by  
8 the task force.

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10 SECTION 3. This act shall expire on September 1, 2005.

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12 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the  
13 General Assembly of the State of Arkansas that the Arkansas Supreme  
14 Court has ruled that the current system of education in Arkansas is  
15 inadequate and inequitable, and has instructed the General Assembly to  
16 define what is necessary to provide an adequate and equitable education  
17 for the children of Arkansas. A committee must be formed to determine  
18 what constitutes an adequate education in Arkansas in sufficient time for  
19 the General Assembly to take action before the termination of the court's  
20 stay. Therefore, an emergency is declared to exist and this act being  
21 immediately necessary for the preservation of the public peace, health,  
22 and safety shall become effective on:

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

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

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

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