

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

Call Item 4

# A Bill

SENATE BILL 9

5 By: Senator Altes  
6 By: Representative Walters  
7  
8

## 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

14 AN ACT TO CREATE A SUPPLEMENTAL TEACHER  
15 SALARY PLAN FOR DISTRICTS UNABLE TO MEET  
16 TEACHER SALARY INCREASE REQUIREMENTS.  
17  
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                   (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 salary  
 9 schedule for the previous 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) shall be multiplied  
 20 by the positive result of the state entry salary minus the district entry  
 21 salary;

22                   (C) The product of subdivision (b)(2) shall be multiplied  
 23 by one hundred and twenty-five percent (125%); and

24                   (D) The product of subdivision (b)(3) shall be the amount  
 25 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 exceeds  
 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.