

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 156

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2018;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION
15 APPROPRIATION FOR THE 2017-2018 FISCAL
16 YEAR.
17
18
19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Education for the 2017-2018 fiscal year, the following maximum
24 number of regular employees.
25

| 26 | | | | Maximum Annual | |
|----|------|-------|--------------------------------------|----------------|------------|
| 27 | | | Maximum | Salary Rate | |
| 28 | Item | Class | No. of | Fiscal Year | |
| 29 | No. | Code | Title | Employees | 2017-2018 |
| 30 | (1) | U033U | COMMISSIONER OF EDUCATION | 1 | \$252,949 |
| 31 | (2) | U027U | DEPUTY COMMISSIONER OF EDUCATION | 1 | \$154,998 |
| 32 | (3) | N005N | ADE ASST COMMISSIONER LEARNING SVCS | 1 | GRADE N912 |
| 33 | (4) | N006N | ADE ASST COMM R PUBLIC SCHOOL ACCT | 1 | GRADE N912 |
| 34 | (5) | G001N | ADE LITIGATION ATTORNEY | 1 | GRADE N912 |
| 35 | (6) | N009N | ASST COMMISSIONER FISCAL & ADMIN SVC | 1 | GRADE N912 |
| 36 | (7) | N010N | ASST COMMISSIONER HUMAN RESOURCES | 1 | GRADE N912 |



| | | | | | |
|----|------|-------|--|-----|------------|
| 1 | (8) | N008N | ASST COMM RESEARCH & TECHNOLOGY | 1 | GRADE N912 |
| 2 | (9) | D011N | ADE DIRECTOR OF INFORMATION SYSTEMS | 1 | GRADE N909 |
| 3 | (10) | N069N | ADE SPECIAL ADVISOR | 7 | GRADE N908 |
| 4 | (11) | A009N | ADE CHIEF FISCAL OFFICER | 1 | GRADE N905 |
| 5 | (12) | E003N | ADE COORD SCH. IMP/STANDARDS ASSURANCE | 1 | GRADE N905 |
| 6 | (13) | E001N | ADE COORDINATOR SPECIAL PROGRAMS | 1 | GRADE N905 |
| 7 | (14) | P001N | ADE DIR OF COMMUNICATIONS | 1 | GRADE N904 |
| 8 | (15) | E006N | ADE COORD COMPUTER SCIENCE | 1 | GRADE N902 |
| 9 | (16) | N149N | ADE COORD FISCAL DISTRESS | 1 | GRADE N902 |
| 10 | (17) | G012C | ADE ASSISTANT TO COMMISSIONER | 7 | GRADE C129 |
| 11 | (18) | G006C | ADE SPECIAL EDUCATION DIV MANAGER | 1 | GRADE C129 |
| 12 | (19) | A010C | AGENCY CONTROLLER II | 1 | GRADE C128 |
| 13 | (20) | G025C | ATTORNEY SUPERVISOR | 1 | GRADE C127 |
| 14 | (21) | G050C | ADE APSCN DIVISION MANAGER | 1 | GRADE C126 |
| 15 | (22) | E007C | ADE OERZ DIRECTOR | 1 | GRADE C126 |
| 16 | (23) | D104C | ADE STATE SYSTEMS ADMINISTRATOR | 3 | GRADE C126 |
| 17 | (24) | G047C | ATTORNEY SPECIALIST | 3 | GRADE C126 |
| 18 | (25) | E006C | PUBLIC SCHOOL PROGRAM MANAGER | 15 | GRADE C126 |
| 19 | (26) | A027C | ACCOUNTING OPERATIONS MANAGER | 1 | GRADE C125 |
| 20 | (27) | R009C | ADE BUDGET MANAGER | 1 | GRADE C125 |
| 21 | (28) | G074C | ADE COORD OF GOVERNMENTAL AFFAIRS | 1 | GRADE C124 |
| 22 | (29) | A032C | ADE FINANCE PROGRAM COORDINATOR | 2 | GRADE C124 |
| 23 | (30) | G075C | ADE PROGRAM ADMINISTRATOR | 2 | GRADE C124 |
| 24 | (31) | D030C | INFORMATION SYSTEMS COORDINATOR | 2 | GRADE C124 |
| 25 | (32) | A038C | FISCAL SUPPORT MANAGER | 5 | GRADE C123 |
| 26 | (33) | P004C | PUBLIC INFORMATION MANAGER | 2 | GRADE C123 |
| 27 | (34) | E016C | PUBLIC SCHOOL PROGRAM COORDINATOR | 21 | GRADE C123 |
| 28 | (35) | D038C | SENIOR SOFTWARE SUPPORT ANALYST | 1 | GRADE C123 |
| 29 | (36) | D047C | INFORMATION SYSTEMS BUSINESS ANALYST | 3 | GRADE C122 |
| 30 | (37) | A041C | PROGRAM FISCAL MANAGER | 4 | GRADE C122 |
| 31 | (38) | E019C | PUBLIC SCHOOL PROGRAM ADVISOR | 117 | GRADE C122 |
| 32 | (39) | D044C | SYSTEMS ANALYST | 1 | GRADE C122 |
| 33 | (40) | A052C | ACCOUNTING COORDINATOR | 6 | GRADE C121 |
| 34 | (41) | A050C | AGENCY FISCAL MANAGER | 1 | GRADE C121 |
| 35 | (42) | D054C | COMPUTER SUPPORT COORDINATOR | 1 | GRADE C121 |
| 36 | (43) | G109C | GRANTS MANAGER | 1 | GRADE C121 |

| | | | | | |
|----|------|-------|-------------------------------------|-----------|------------|
| 1 | (44) | L035C | NUTRITIONIST CONSULTANT | 9 | GRADE C121 |
| 2 | (45) | R014C | PERSONNEL MANAGER | 1 | GRADE C121 |
| 3 | (46) | D052C | SOFTWARE SUPPORT ANALYST | 1 | GRADE C121 |
| 4 | (47) | P013C | PUBLIC INFORMATION COORDINATOR | 1 | GRADE C120 |
| 5 | (48) | G147C | GRANTS COORDINATOR | 1 | GRADE C119 |
| 6 | (49) | A060C | SENIOR AUDITOR | 1 | GRADE C119 |
| 7 | (50) | C010C | EXECUTIVE ASSISTANT TO THE DIRECTOR | 1 | GRADE C118 |
| 8 | (51) | A074C | FISCAL SUPPORT SUPERVISOR | 4 | GRADE C118 |
| 9 | (52) | G180C | GRANTS ANALYST | 1 | GRADE C117 |
| 10 | (53) | R025C | HUMAN RESOURCES ANALYST | 1 | GRADE C117 |
| 11 | (54) | G179C | LEGAL SERVICES SPECIALIST | 1 | GRADE C117 |
| 12 | (55) | G178C | POLICY DEVELOPMENT COORDINATOR | 3 | GRADE C117 |
| 13 | (56) | P020C | PRODUCTION ARTIST | 1 | GRADE C117 |
| 14 | (57) | B076C | RESEARCH PROJECT ANALYST | 1 | GRADE C117 |
| 15 | (58) | A089C | ACCOUNTANT I | 1 | GRADE C116 |
| 16 | (59) | C022C | BUSINESS OPERATIONS SPECIALIST | 1 | GRADE C116 |
| 17 | (60) | V014C | BUYER | 1 | GRADE C116 |
| 18 | (61) | C037C | ADMINISTRATIVE ANALYST | 15 | GRADE C115 |
| 19 | (62) | D079C | COMPUTER SUPPORT TECHNICIAN | 1 | GRADE C115 |
| 20 | (63) | A091C | FISCAL SUPPORT ANALYST | 2 | GRADE C115 |
| 21 | (64) | D077C | HELP DESK SPECIALIST | 1 | GRADE C115 |
| 22 | (65) | S033C | MAINTENANCE SUPERVISOR | 1 | GRADE C115 |
| 23 | (66) | R036C | HUMAN RESOURCES SPECIALIST | 2 | GRADE C113 |
| 24 | (67) | V020C | INVENTORY CONTROL MANAGER | 1 | GRADE C113 |
| 25 | (68) | C046C | LEGAL SUPPORT SPECIALIST | 1 | GRADE C113 |
| 26 | (69) | S046C | MAINTENANCE TECHNICIAN | 1 | GRADE C113 |
| 27 | (70) | C056C | ADMINISTRATIVE SPECIALIST III | 37 | GRADE C112 |
| 28 | (71) | A098C | FISCAL SUPPORT SPECIALIST | 1 | GRADE C112 |
| 29 | (72) | C073C | ADMINISTRATIVE SPECIALIST II | <u>22</u> | GRADE C109 |
| 30 | | | MAX. NO. OF EMPLOYEES | 342 | |

31

32 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,
 33 for the Department of Education - State Operations for the 2017-2018 fiscal
 34 year, the following maximum number of part-time or temporary employees, to be
 35 known as "Extra Help", payable from funds appropriated herein for such
 36 purposes: eight (8) temporary or part-time employees, when needed, at rates

1 of pay not to exceed those provided in the Uniform Classification and
 2 Compensation Act, or its successor, or this act for the appropriate
 3 classification.

4

5 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 6 appropriated, to the Department of Education, to be payable from the
 7 Department of Education Fund Account, for personal services and operating
 8 expenses of the Department of Education - State Operations for the fiscal
 9 year ending June 30, 2018, the following:

10

| 11 ITEM | FISCAL YEAR |
|--|----------------------------|
| 12 <u>NO.</u> | <u>2017-2018</u> |
| 13 (01) REGULAR SALARIES | \$14,193,335 |
| 14 (02) EXTRA HELP | 160,000 |
| 15 (03) PERSONAL SERVICES MATCHING | 4,414,433 |
| 16 (04) MAINT. & GEN. OPERATION | |
| 17 (A) OPER. EXPENSE | 2,600,000 |
| 18 (B) CONF. & TRAVEL | 100,000 |
| 19 (C) PROF. FEES | 100,000 |
| 20 (D) CAP. OUTLAY | 100,000 |
| 21 (E) DATA PROC. | 0 |
| 22 (05) ADVANCED PLACEMENT AND INCENTIVE | |
| 23 PROGRAM GRANTS | 450,000 |
| 24 (06) READING RECOVERY | 100,000 |
| 25 (07) AR LEADERSHIP ACADEMY | <u>900,000</u> |
| 26 TOTAL AMOUNT APPROPRIATED | <u><u>\$23,117,768</u></u> |

27

28 SECTION 4. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. There is
 29 hereby appropriated, to the Department of Education, to be payable from the
 30 federal funds as designated by the Chief Fiscal Officer of the State, for
 31 personal services and operating expenses of the Department of Education -
 32 Federal Grants Administration for the fiscal year ending June 30, 2018, the
 33 following:

34

| 35 ITEM | FISCAL YEAR |
|---------------|------------------|
| 36 <u>NO.</u> | <u>2017-2018</u> |

| | | |
|---|---------------------------------|-------------------------|
| 1 | (01) REGULAR SALARIES | \$513,614 |
| 2 | (02) PERSONAL SERVICES MATCHING | 153,160 |
| 3 | (03) MAINT. & GEN. OPERATION | |
| 4 | (A) OPER. EXPENSE | 49,970 |
| 5 | (B) CONF. & TRAVEL | 19,672 |
| 6 | (C) PROF. FEES | 260,000 |
| 7 | (D) CAP. OUTLAY | 0 |
| 8 | (E) DATA PROC. | <u>0</u> |
| 9 | TOTAL AMOUNT APPROPRIATED | <u><u>\$996,416</u></u> |

10

11 SECTION 5. APPROPRIATION - BUILDING MAINTENANCE. There is hereby
 12 appropriated, to the Department of Education, to be payable from the
 13 Educational Buildings Maintenance Fund, for operating expenses of the
 14 Department of Education - Building Maintenance for the fiscal year ending
 15 June 30, 2018, the following:

16

| 17 | ITEM | FISCAL YEAR |
|----|------------------------------|-------------------------|
| 18 | <u>NO.</u> | <u>2017-2018</u> |
| 19 | (01) MAINT. & GEN. OPERATION | |
| 20 | (A) OPER. EXPENSE | \$500,000 |
| 21 | (B) CONF. & TRAVEL | 0 |
| 22 | (C) PROF. FEES | 0 |
| 23 | (D) CAP. OUTLAY | 0 |
| 24 | (E) DATA PROC. | <u>0</u> |
| 25 | TOTAL AMOUNT APPROPRIATED | <u><u>\$500,000</u></u> |

26

27 SECTION 6. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There
 28 is hereby appropriated, to the Department of Education, to be payable from
 29 the Education Revolving Loan Certificates Fund, for personal services and
 30 operating expenses of the Department of Education - Revolving Loan
 31 Certificates Program for the fiscal year ending June 30, 2018, the following:

32

| 33 | ITEM | FISCAL YEAR |
|----|---------------------------------|------------------|
| 34 | <u>NO.</u> | <u>2017-2018</u> |
| 35 | (01) REGULAR SALARIES | \$43,303 |
| 36 | (02) PERSONAL SERVICES MATCHING | 14,554 |

| | | |
|---|--------------------------------|----------------------------|
| 1 | (03) MAINT. & GEN. OPERATION | |
| 2 | (A) OPER. EXPENSE | 27,500 |
| 3 | (B) CONF. & TRAVEL | 2,500 |
| 4 | (C) PROF. FEES | 10,000 |
| 5 | (D) CAP. OUTLAY | 0 |
| 6 | (E) DATA PROC. | 0 |
| 7 | (04) LOANS TO SCHOOL DISTRICTS | <u>13,000,000</u> |
| 8 | TOTAL AMOUNT APPROPRIATED | <u><u>\$13,097,857</u></u> |

9

10 SECTION 7. APPROPRIATION - CHILD NUTRITION PROGRAM. There is hereby
 11 appropriated, to the Department of Education, to be payable from the federal
 12 funds as designated by the Chief Fiscal Officer of the State, for personal
 13 services and operating expenses of the Department of Education - Child
 14 Nutrition Program for the fiscal year ending June 30, 2018, the following:

15

| 16 | ITEM | FISCAL YEAR |
|----|---------------------------------------|-----------------------------|
| 17 | <u>NO.</u> | <u>2017-2018</u> |
| 18 | (01) REGULAR SALARIES | \$1,016,646 |
| 19 | (02) PERSONAL SERVICES MATCHING | 339,278 |
| 20 | (03) MAINT. & GEN. OPERATION | |
| 21 | (A) OPER. EXPENSE | 1,172,100 |
| 22 | (B) CONF. & TRAVEL | 52,600 |
| 23 | (C) PROF. FEES | 156,400 |
| 24 | (D) CAP. OUTLAY | 50,000 |
| 25 | (E) DATA PROC. | 0 |
| 26 | (04) SCHOOL FOOD SERVICE/NUTRITION ED | 255,168,000 |
| 27 | (05) REFUNDS/REIMBURSEMENTS | <u>450,000</u> |
| 28 | TOTAL AMOUNT APPROPRIATED | <u><u>\$258,405,024</u></u> |

29

30 SECTION 8. EXTRA HELP - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.
 31 There is hereby authorized, for the Department of Education - Federal
 32 Elementary and Secondary Education for the 2017-2018 fiscal year, the
 33 following maximum number of part-time or temporary employees, to be known as
 34 "Extra Help", payable from funds appropriated herein for such purposes: four
 35 (4) temporary or part-time employees, when needed, at rates of pay not to
 36 exceed those provided in the Uniform Classification and Compensation Act, or

1 its successor, or this act for the appropriate classification.

2

3 SECTION 9. APPROPRIATION - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.

4 There is hereby appropriated, to the Department of Education, to be payable
 5 from the federal funds as designated by the Chief Fiscal Officer of the
 6 State, for personal services and operating expenses of the Department of
 7 Education - Federal Elementary and Secondary Education for the fiscal year
 8 ending June 30, 2018, the following:

9

| 10 ITEM | FISCAL YEAR |
|------------------------------------|----------------------|
| 11 <u>NO.</u> | <u>2017-2018</u> |
| 12 (01) REGULAR SALARIES | \$2,693,809 |
| 13 (02) EXTRA HELP | 10,000 |
| 14 (03) PERSONAL SERVICES MATCHING | 849,666 |
| 15 (04) MAINT. & GEN. OPERATION | |
| 16 (A) OPER. EXPENSE | 3,475,900 |
| 17 (B) CONF. & TRAVEL | 710,500 |
| 18 (C) PROF. FEES | 18,351,105 |
| 19 (D) CAP. OUTLAY | 200,000 |
| 20 (E) DATA PROC. | 0 |
| 21 (05) ENTITLEMENT GRANT PROGRAMS | 496,095,368 |
| 22 (06) REFUNDS/REIMBURSEMENTS | <u>1,110,000</u> |
| 23 TOTAL AMOUNT APPROPRIATED | <u>\$523,496,348</u> |

24

25 SECTION 10. APPROPRIATION - MULTIPLE GRANT AWARD PROGRAM. There is
 26 hereby appropriated, to the Department of Education, to be payable from the
 27 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 28 Officer of the State, for operating expenses and grants by the Department of
 29 Education - Multiple Grant Award Program for the fiscal year ending June 30,
 30 2018, the following:

31

| 32 ITEM | FISCAL YEAR |
|---------------------------------|------------------|
| 33 <u>NO.</u> | <u>2017-2018</u> |
| 34 (01) MAINT. & GEN. OPERATION | |
| 35 (A) OPER. EXPENSE | \$122,000 |
| 36 (B) CONF. & TRAVEL | 16,500 |

| | | |
|---|----------------------------|---------------------------|
| 1 | (C) PROF. FEES | 40,000 |
| 2 | (D) CAP. OUTLAY | 100,000 |
| 3 | (E) DATA PROC. | 0 |
| 4 | (02) MULTIPLE GRANT AWARDS | <u>2,447,875</u> |
| 5 | TOTAL AMOUNT APPROPRIATED | <u><u>\$2,726,375</u></u> |

6

7 SECTION 11. APPROPRIATION - MEDICAID REIMBURSEMENT PROGRAM. There is

8 hereby appropriated, to the Department of Education, to be payable from the

9 cash fund deposited in the State Treasury as determined by the Chief Fiscal

10 Officer of the State, for Medicaid reimbursement and administration of the

11 Department of Education - Medicaid Reimbursement Program for the fiscal year

12 ending June 30, 2018, the following:

| 14 | ITEM | FISCAL YEAR |
|----|-----------------------------|---------------------------|
| 15 | <u>NO.</u> | <u>2017-2018</u> |
| 16 | (01) REFUNDS/REIMBURSEMENTS | \$7,000,000 |
| 17 | (02) MEDICAID ADMIN | <u>10,500</u> |
| 18 | TOTAL AMOUNT APPROPRIATED | <u><u>\$7,010,500</u></u> |

19

20 SECTION 12. APPROPRIATION - ALTERNATIVE CERTIFICATION PROGRAM. There

21 is hereby appropriated, to the Department of Education, to be payable from

22 the cash fund deposited in the State Treasury as determined by the Chief

23 Fiscal Officer of the State, for operating expenses and grants by the

24 Department of Education - Alternative Certification Program for the fiscal

25 year ending June 30, 2018, the following:

| 27 | ITEM | FISCAL YEAR |
|----|--------------------------------------|---------------------------|
| 28 | <u>NO.</u> | <u>2017-2018</u> |
| 29 | (01) MAINT. & GEN. OPERATION | |
| 30 | (A) OPER. EXPENSE | \$515,292 |
| 31 | (B) CONF. & TRAVEL | 8,500 |
| 32 | (C) PROF. FEES | 125,420 |
| 33 | (D) CAP. OUTLAY | 0 |
| 34 | (E) DATA PROC. | 0 |
| 35 | (02) ALT. CERT. PROG. GRANTS AND AID | <u>700,000</u> |
| 36 | TOTAL AMOUNT APPROPRIATED | <u><u>\$1,349,212</u></u> |

SECTION 13. APPROPRIATION - CONFERENCES. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of conferences sponsored by the Department of Education for the fiscal year ending June 30, 2018, the following:

| ITEM | FISCAL YEAR |
|------------------------------|-------------------------|
| <u>NO.</u> | <u>2017-2018</u> |
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$400,000 |
| (B) CONF. & TRAVEL | 25,000 |
| (C) PROF. FEES | 50,000 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$475,000</u></u> |

SECTION 14. APPROPRIATION - MEDICAID ADMINISTRATION CLAIMING PROGRAM. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for reimbursement of school districts for administrative activities that support the Arkansas Medicaid Program by the Department of Education - Medicaid Administration Claiming Program for the fiscal year ending June 30, 2018, the following:

| ITEM | FISCAL YEAR |
|-------------------------------|----------------------------|
| <u>NO.</u> | <u>2017-2018</u> |
| (01) AR MEDICAID ADMIN CLAIMS | <u><u>\$18,000,000</u></u> |

SECTION 15. APPROPRIATION - VISION SCREENING PROGRAM. There is hereby appropriated, to the Department of Education, to be payable from the School-Age Children Eye and Vision Care Fund, for operating expenses and costs incurred in studying, evaluating vision needs, screening vision programs, the development of a strategic statewide plan, and associated expenses for eye and vision care of school-age children in Arkansas for the fiscal year ending June 30, 2018, the following:

1 ITEM FISCAL YEAR
 2 NO. 2017-2018

3 (01) VARIOUS OPERATING EXPENSES FOR VISION
 4 SCREENING AND CARE \$5,508

5
 6 SECTION 16. REGULAR SALARIES - PROFESSIONAL LICENSURE STANDARDS BOARD.
 7 There is hereby established for the Department of Education - Professional
 8 Licensure Standards Board for the 2017-2018 fiscal year, the following
 9 maximum number of regular employees.

10

| | | | | Maximum Annual |
|------|-----------------------|-------------------------------------|-----------|----------------|
| | | | | Salary Rate |
| | | | | Fiscal Year |
| Item | Class | | Maximum | |
| No. | Code | Title | No. of | 2017-2018 |
| | | | Employees | |
| 15 | (1) | G012C ADE ASSISTANT TO COMMISSIONER | 1 | GRADE C129 |
| 16 | (2) | X012C ADE PLSB CHIEF INVESTIGATOR | 1 | GRADE C126 |
| 17 | (3) | G073C ATTORNEY | 1 | GRADE C124 |
| 18 | (4) | X202C ADE PLSB SENIOR INVESTIGATOR | 2 | GRADE C123 |
| 19 | (5) | X037C EDUCATION INVESTIGATOR | 4 | GRADE C121 |
| 20 | (6) | G179C LEGAL SERVICES SPECIALIST | 1 | GRADE C117 |
| 21 | (7) | C037C ADMINISTRATIVE ANALYST | 2 | GRADE C115 |
| 22 | (8) | C056C ADMINISTRATIVE SPECIALIST III | <u>1</u> | GRADE C112 |
| 23 | MAX. NO. OF EMPLOYEES | | 13 | |

24

25 SECTION 17. APPROPRIATION - PROFESSIONAL LICENSURE STANDARDS BOARD.
 26 There is hereby appropriated, to the Department of Education, to be payable
 27 from the cash fund deposited in the State Treasury as determined by the Chief
 28 Fiscal Officer of the State, for personal services and operating expenses of
 29 the Department of Education - Professional Licensure Standards Board for the
 30 fiscal year ending June 30, 2018, the following:

31

32 ITEM FISCAL YEAR
 33 NO. 2017-2018
 34 (01) REGULAR SALARIES \$570,685
 35 (02) PERSONAL SERVICES MATCHING 190,900
 36 (03) MAINT. & GEN. OPERATION

| | | |
|---|---------------------------|--------------------|
| 1 | (A) OPER. EXPENSE | 376,325 |
| 2 | (B) CONF. & TRAVEL | 10,000 |
| 3 | (C) PROF. FEES | 9,505 |
| 4 | (D) CAP. OUTLAY | 50,000 |
| 5 | (E) DATA PROC. | 0 |
| 6 | (04) EDTPA PROGRAM GRANTS | <u>100,000</u> |
| 7 | TOTAL AMOUNT APPROPRIATED | <u>\$1,307,415</u> |

8

9 SECTION 18. APPROPRIATION - OPEN ENROLLMENT PUBLIC CHARTER SCHOOL
 10 CLOSURE. There is hereby appropriated, to the Department of Education, to be
 11 payable from the cash fund deposited in the State Treasury as determined by
 12 the Chief Fiscal Officer of the State, for outstanding obligations incurred
 13 by closed charter schools for the fiscal year ending June 30, 2018, the
 14 following:

15

| 16 | ITEM | FISCAL YEAR |
|----|-----------------------------|------------------|
| 17 | <u>NO.</u> | <u>2017-2018</u> |
| 18 | (01) CHARTER SCHOOL CLOSURE | <u>\$300,000</u> |

19

20 SECTION 19. APPROPRIATION - SUCCEED SCHOLARSHIP PROGRAM - CASH. There
 21 is hereby appropriated, to the Department of Education, to be payable from
 22 the cash fund deposited in the State Treasury as determined by the Chief
 23 Fiscal Officer of the State, for expenses of the Succeed Scholarship Program
 24 of the Department of Education for the fiscal year ending June 30, 2018, the
 25 following:

26

| 27 | ITEM | FISCAL YEAR |
|----|---|------------------|
| 28 | <u>NO.</u> | <u>2017-2018</u> |
| 29 | (01) SUCCEED SCHOLARSHIP PROGRAM EXPENSES | <u>\$800,000</u> |

30

31 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 33 FORWARD. Notwithstanding any law pertaining to the transfer of year-end fund
 34 balances or any law to the contrary, any funds which remain in the Department
 35 of Education Fund Account at the end of a fiscal year shall remain in the
 36 Department of Education Fund Account and be made available to fund

1 appropriation(s) authorized by law and made payable from the Department of
2 Education Fund Account for the following fiscal year.

3 Any carry forward of unexpended balance of funding as authorized
4 herein, may be carried forward under the following conditions:

5 (1) Prior to June 30, ~~2017~~ 2018 the Agency shall by written statement
6 set forth its reason(s) for the need to carry forward said funding to the
7 Department of Finance and Administration Office of Budget;

8 (2) The Department of Finance and Administration Office of Budget shall
9 report to the Arkansas Legislative Council or Joint Budget Committee all
10 amounts carried forward by the September Arkansas Legislative Council or
11 Joint Budget Committee meeting which report shall include the name of the
12 Agency, Board, Commission or Institution and the amount of the funding
13 carried forward, the program name or line item, the funding source of that
14 appropriation and a copy of the written request set forth in (1) above;

15 (3) Each Agency, Board, Commission or Institution shall provide a
16 written report to the Arkansas Legislative Council or Joint Budget Committee
17 containing all information set forth in item (2) above, along with a written
18 statement as to the current status of the project, contract, purpose etc. for
19 which the carry forward was originally requested no later than thirty (30)
20 days prior to the time the Agency, Board, Commission or Institution presents
21 its budget request to the Arkansas Legislative Council/Joint Budget
22 Committee; and

23 (4) Thereupon, the Department of Finance and Administration shall
24 include all information obtained in item (3) above in the budget manuals
25 and/or a statement of non-compliance by the Agency, Board, Commission or
26 Institution.

27 The provisions of this section shall be in effect only from July 1, ~~2016~~
28 2017 through June 30, ~~2017~~ 2018.

29
30 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY OF
32 THE COMMISSIONER OF THE DEPARTMENT OF EDUCATION. It is the intent of the
33 General Assembly that the appropriation for the salary of the Commissioner of
34 the Department of Education shall be the sole and exclusive authority for his
35 or her salary. It is further the intent of the General Assembly that the
36 Commissioner be required to devote all of his or her working time exclusively

1 to the performance of his or her duties as Commissioner of the Department of
 2 Education. Therefore, the Commissioner of the Department of Education is
 3 hereby prohibited from accepting any additional salary from any other source
 4 (including state, federal, or private entities or persons) for the
 5 performance of his or her duties as Commissioner, and is prohibited from
 6 accepting any salary, fees or compensation from any other source (including
 7 state, federal or private entities or persons) for any other employment of
 8 any kind outside the scope of his or her duties as Commissioner, including
 9 but not limited to consulting work for any other public or private entity.
 10 This section shall not be construed to prohibit the Commissioner from
 11 accepting or receiving expense reimbursements and employee benefits as
 12 provided by State law.

13 The provisions of this section shall be in effect only from July 1, ~~2016~~
 14 2017 through June 30, ~~2017~~ 2018.

15
 16 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

18 ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from
 19 statewide education issues and the necessity of recruiting and retaining
 20 qualified personnel, the Arkansas Department of Education or its successor
 21 agency is authorized for the ~~2016-2017~~ 2017-2018 fiscal year a pool of no
 22 more than five (5) Professional/Executive positions at a salary not to exceed
 23 the maximum salary for a grade N912. These positions are to be used by the
 24 Department of Education in the event that the personal services needs of the
 25 Department during the ~~2016-2017~~ 2017-2018 fiscal year require additional
 26 positions, either by title or in number, that are not authorized by the
 27 General Assembly in the Regular Salaries section of this Act. These positions
 28 may also be used to properly classify positions when the Department does not
 29 have a vacant position available with the appropriate title and salary level.

30 (b) To address needs emerging from statewide education issues and the
 31 necessity of recruiting and retaining qualified personnel, the Arkansas
 32 Department of Education or its successor agency is authorized for the ~~2016-~~
 33 ~~2017~~ 2017-2018 fiscal year a pool of ten (10) classified positions at up to a
 34 grade C130. These positions are to be used by the Department of Education in
 35 the event that the personal services needs of the Department during the ~~2016-~~
 36 ~~2017~~ 2017-2018 fiscal year require additional positions, either by

1 classification or in number, that are not authorized by the General Assembly
2 in the Regular Salaries section of this Act. These positions may also be used
3 to properly classify positions when the Department does not have a vacant
4 position available with the appropriate title and grade level.

5 (c) Any salary determinations or adjustments administered under the
6 provisions of Subsections (a) and (b) of this Section shall be made by
7 comparing the qualifications and salary levels of similar employees in school
8 districts or in other state education agencies.

9 (d) The Department of Education is authorized to access the pool
10 positions authorized in this Section at any time when it is determined by the
11 Commissioner that the need exists. The Commissioner shall provide a monthly
12 report of the justification for the need to allocate titles from this growth
13 pool to the Chief Fiscal Officer of the State and to the Arkansas Legislative
14 Council or Joint Budget Committee for review. The report shall also include
15 an accounting of the names, titles, and salaries of personnel whose salaries
16 have been adjusted under provisions of Subsections (a) and (b) of this
17 Section.

18 (e) If the Department of Education requests continuation of any
19 "Position Pool" position(s) as established herein during the next fiscal
20 year, the position(s) must be requested as a new position(s) in the agency's
21 budget request.

22 (f) Determining the number of personnel to be employed by a state agency
23 is the prerogative of the General Assembly and is usually accomplished by
24 delineating the maximum number of personnel by identifying job titles and the
25 maximum grade or salary attached to those titles. The General Assembly has
26 determined that the Arkansas Department of Education could be operated more
27 efficiently if some flexibility is given to that agency. That flexibility is
28 being accomplished by providing a position pool in Subsections (a) and (b) of
29 this Section and since the General Assembly has granted the agency broad
30 powers under the growth pool concept, it is both necessary and appropriate
31 that the General Assembly maintain oversight of the utilization of the
32 position pool by requiring review of the Legislative Council or Joint Budget
33 Committee in the utilization of the position pool. Therefore, the requirement
34 of review by the Legislative Council or Joint Budget Committee is not a
35 severable part of this section. If the requirement of review by the
36 Legislative Council or Joint Budget Committee is ruled unconstitutional by a

1 court of competent jurisdiction, this entire section is void.

2 The provisions of this section shall be in effect only from July 1, ~~2016~~
3 2017 through June 30, ~~2017~~ 2018.

4
5 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
7 LEADERSHIP ACADEMY - REDUCTION OF FUNDS RESTRICTION. Upon determination by
8 the Department of Education that a reduction in the amount of available
9 appropriation within the Department of Education Fund Account is required
10 from the amount appropriated, the reduction in the available appropriation
11 from the full amount appropriated for the Arkansas Leadership Academy shall
12 be limited to the average percentage reduction in the other appropriations to
13 the Department of Education from the Department of Education Fund Account.

14 The provisions of this section shall be in effect only from July 1, ~~2016~~
15 2017 through June 30, ~~2017~~ 2018.

16
17 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 LEADERSHIP ACADEMY. The funds appropriated in the "AR LEADERSHIP ACADEMY"
20 line item in the State Operations Appropriation Section of this Act shall be
21 used for the School Support Program which will provide support to schools or
22 school districts designated by the Department of Education as being in school
23 improvement status and to provide for general operations of the Leadership
24 Academy.

25 The provisions of this section shall be in effect only from July 1, ~~2016~~
26 2017 through June 30, ~~2017~~ 2018.

27
28 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
30 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
31 public schools, or for abortion services. Funds shall be expended in
32 accordance with Arkansas Code Annotated § 6-18-703.

33 The provisions of this section shall be in effect only from July 1, ~~2016~~
34 2017 through June 30, ~~2017~~ 2018.

35
36 SECTION 26. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

1 authorized by this act shall be limited to the appropriation for such agency
2 and funds made available by law for the support of such appropriations; and
3 the restrictions of the State Procurement Law, the General Accounting and
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
5 Procedures and Restrictions Act, or their successors, and other fiscal
6 control laws of this State, where applicable, and regulations promulgated by
7 the Department of Finance and Administration, as authorized by law, shall be
8 strictly complied with in disbursement of said funds.

9
10 SECTION 27. LEGISLATIVE INTENT. It is the intent of the General
11 Assembly that any funds disbursed under the authority of the appropriations
12 contained in this act shall be in compliance with the stated reasons for
13 which this act was adopted, as evidenced by the Agency Requests, Executive
14 Recommendations and Legislative Recommendations contained in the budget
15 manuals prepared by the Department of Finance and Administration, letters, or
16 summarized oral testimony in the official minutes of the Arkansas Legislative
17 Council or Joint Budget Committee which relate to its passage and adoption.

18
19 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the
20 General Assembly, that the Constitution of the State of Arkansas prohibits
21 the appropriation of funds for more than a one (1) year period; that the
22 effectiveness of this Act on July 1, 2017 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the legislative session, the delay in the
25 effective date of this Act beyond July 1, 2017 could work irreparable harm
26 upon the proper administration and provision of essential governmental
27 programs. Therefore, an emergency is hereby declared to exist and this Act
28 being necessary for the immediate preservation of the public peace, health
29 and safety shall be in full force and effect from and after July 1, 2017.