

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

As Engrossed: S3/14/17

A Bill

SENATE BILL 168

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO
9 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE
10 DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2018; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
16 AND SPECIAL PROGRAMS APPROPRIATION FOR
17 THE 2017-2018 FISCAL YEAR.
18
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND
24 SPECIAL PROGRAMS. There is hereby appropriated, to the Department of
25 Education, to be payable from the Department of Education Public School Fund
26 Account, for grants and aid to local school districts and special programs of
27 the Department of Education for the fiscal year ending June 30, 2018, the
28 following:
29

30 ITEM	FISCAL YEAR
31 NO.	2017-2018
32 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
33 (02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
34 HEALTH INSURANCE	\$15,000,000
35 (03) ADVANCED PLACEMENT INCENTIVE	825,000
36 (04) ALTERNATIVE LEARNING	26,394,317



1	(05)	ARKANSAS EASTER SEALS	193,113
2	(06)	ASSESSMENT/END OF LEVEL TESTING	22,250,189
3	(07)	AT RISK	1,688,530
4	(08)	BETTER CHANCE PROGRAM	114,000,000
5	(09)	BONDED DEBT ASSISTANCE	28,455,384
6	(10)	BROADBAND FACILITIES MATCHING GRANT	
7		PROGRAM	1,018,835
8	(11)	COMPUTER SCIENCE INITIATIVE	2,500,000
9	(12)	CONSOLIDATION INCENTIVE	5,981,400
10	(13)	CONTENT STANDARDS	161,000
11	(14)	CONTENTS STANDARDS CURRICULUM	
12		FRAMEWORKS	50,000
13	(15)	COOP EDUCATION TECH CENTERS	1,200,000
14	(16)	COORDINATED SCHOOL HEALTH	2,000,000
15	(17)	COURT ORDERED DESEGREGATION	65,794,267
16	(18)	CRIMINAL BACKGROUND CHECKS	25,000
17	(19)	DECLINING ENROLLMENT	13,963,389
18	(20)	DEPT OF CORRECTION	6,543,752
19	(21)	DISTANCE LEARNING	4,760,000
20	(22)	DISTANCE LEARNING OPERATIONS	7,575,000
21	(23)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
22	(24)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
23	(25)	ECONOMIC EDUCATION	400,000
24	(26)	EDUCATION SERVICE COOPERATIVES	6,129,270
25	(27)	ENGLISH LANGUAGE LEARNERS	15,715,105
26	(28)	ENHANCED TRANSPORTATION FUNDING	3,000,000
27	(29)	GENERAL FACILITIES FUNDING	8,100,000
28	(30)	GIFTED & TALENTED	1,485,381
29	(31)	GRANTS TO SCHOOL DISTRICTS	67,856
30	(32)	HUMAN DEVELOPMENT CENTER EDUCATION	
31		AID	526,150
32	(33)	INTERVENTION BLOCK GRANTS	302,000
33	(34)	ISOLATED FUNDING	7,896,000
34	(35)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
35	(36)	MASTER PRINCIPAL BONUS	208,000
36	(37)	NATIONAL BOARD OF PROF TEACHING	

1	STANDARDS	15,322,100
2	(38) NATIONAL SCHOOL LUNCH	223,783,349
3	(39) NON-TRADITIONAL LICENSURE	50,000
4	(40) NSL MATCHING GRANT PROGRAM	4,300,000
5	(41) OE CHARTER FAC FUNDING AID PRG	5,000,000
6	(42) PROFESSIONAL DEVELOPMENT FUNDING	20,617,836
7	(43) PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
8	(44) RESIDENTIAL CENTERS/JUVENILE	
9	DETENTION	16,345,087
10	(45) SCHOOL FACILITY JOINT USE SUPPORT	500,000
11	(46) SCHOOL FOOD SERVICES	1,650,000
12	(47) SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
13	(48) SCHOOL FUNDING CONTINGENCY	25,000,000
14	(49) SCHOOL RECOGNITION	7,000,000
15	(50) SCHOOL WORKER DEFENSE	390,000
16	(51) SERIOUS OFFENDER	1,716,859
17	(52) SMART START/SMART STEP	10,666,303
18	(53) SPECIAL EDUCATION SERVICES	2,802,527
19	(54) SPECIAL EDUCATION-CATASTROPHIC	13,000,000
20	(55) SPECIAL NEEDS ISOLATED FUNDING	3,000,000
21	(56) STATE FOUNDATION FUNDING	2,085,908,817
22	(57) STUDENT GROWTH	37,690,144
23	(58) SUPPLEMENTAL MILLAGE	10,000,000
24	(59) SURPLUS COMMODITIES	1,125,065
25	(60) TEACHER LICENSING/MENTORING	6,065,758
26	(61) TEACHER OF THE YEAR	100,000
27	(62) TEACHER RECRUITMENT	2,100,000
28	(63) TEACHER RETIREMENT MATCHING	10,124,858
29	(64) TECHNOLOGY GRANTS	3,602,678
30	(65) TECHNOLOGY IMPROVEMENTS	500,000
31	(66) WORKER'S COMPENSATION	450,000
32	(67) YOUTH SHELTERS	<u>165,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$2,982,581,839</u>

34

35 SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

36 There is hereby established for the Department of Education - Arkansas Public

1 School Computer Network for the 2017-2018 fiscal year, the following maximum
 2 number of regular employees.

3					4	Maximum Annual
5					Maximum	Salary Rate
6	Item	Class			No. of	Fiscal Year
7	No.	Code	Title		Employees	2017-2018
8	(1)	N047N	ADE APSCN DIRECTOR		1	GRADE N908
9	(2)	G012C	ADE ASSISTANT TO COMMISSIONER		3	GRADE C129
10	(3)	D007C	INFORMATION SYSTEMS MANAGER		1	GRADE C128
11	(4)	D006C	SOFTWARE ENGINEER LEAD		1	GRADE C128
12	(5)	D012C	DATABASE SPECIALIST		1	GRADE C127
13	(6)	G050C	ADE APSCN DIVISION MANAGER		2	GRADE C126
14	(7)	D105C	ADE STATE NETWORK ENGINEER		1	GRADE C126
15	(8)	D104C	ADE STATE SYSTEMS ADMINISTRATOR		1	GRADE C126
16	(9)	D037C	ADE APSCN APPLICATIONS MANAGER		3	GRADE C124
17	(10)	D042C	DATA WAREHOUSE SPECIALIST		1	GRADE C123
18	(11)	D038C	SENIOR SOFTWARE SUPPORT ANALYST		1	GRADE C123
19	(12)	D055C	ADE APSCN FIELD ANALYST		25	GRADE C121
20	(13)	D063C	COMPUTER SUPPORT SPECIALIST		1	GRADE C119
21	(14)	A089C	ACCOUNTANT I		1	GRADE C116
22	(15)	C020C	STUDENT APPLICATIONS SPECIALIST		4	GRADE C116
23	(16)	D079C	COMPUTER SUPPORT TECHNICIAN		1	GRADE C115
24	(17)	D077C	HELP DESK SPECIALIST		2	GRADE C115
25	(18)	C056C	ADMINISTRATIVE SPECIALIST III		<u>1</u>	GRADE C112
26			MAX. NO. OF EMPLOYEES		51	

27
 28 SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.
 29 There is hereby appropriated, to the Department of Education, to be payable
 30 from the Department of Education Public School Fund Account, for personal
 31 services and operating expenses of the Department of Education - Arkansas
 32 Public School Computer Network 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	\$2,446,075
2	(02)	PERSONAL SERVICES MATCHING	794,444
3	(03)	MAINT. & GEN. OPERATION	
4	(A)	OPER. EXPENSE	19,245,839
5	(B)	CONF. & TRAVEL	7,250
6	(C)	PROF. FEES	0
7	(D)	CAP. OUTLAY	0
8	(E)	DATA PROC.	0
9	(04)	DATA ACCESS IMPLEMENTATION	<u>300,000</u>
10		TOTAL AMOUNT APPROPRIATED	<u><u>\$22,793,608</u></u>

11

12 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 13 is hereby established for the Department of Education - Office of Education
 14 Renewal Zones for the 2017-2018 fiscal year, the following maximum number of
 15 regular employees.

16

17				Maximum Annual
18				Salary Rate
19	Item Class		Maximum	Fiscal Year
20	No. Code Title		No. of	2017-2018
			Employees	
21	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST		3	GRADE C122
22	(2) C056C ADMINISTRATIVE SPECIALIST III		<u>1</u>	GRADE C112
23	MAX. NO. OF EMPLOYEES		4	

24

25 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 26 hereby appropriated, to the Department of Education, to be payable from the
 27 Department of Education Public School Fund Account, for personal services,
 28 operating expenses and grants by the Department of Education - Office of
 29 Education Renewal Zones for the fiscal year ending June 30, 2018, the
 30 following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2017-2018</u>
34	(01) REGULAR SALARIES	\$154,077
35	(02) PERSONAL SERVICES MATCHING	54,010
36	(03) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	91,800
2	(B) CONF. & TRAVEL	13,000
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	0
6	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,024,350</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$1,337,237</u>

8

9 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND
 11 FACILITIES MATCHING GRANT PROGRAM - RESTRICTIONS AND MATCHING FUNDS. (i) The
 12 appropriation in this Act for the Broadband Facilities Matching Grant Program
 13 shall not be used for Arkansas Research and Education Optical Network (AREON)
 14 or Middle Mile Connectivity.

15 (ii) The funds appropriated for state match for the Broadband
 16 Facilities Matching Grant Program in this Act shall be paid on a one-to-one
 17 state/local matching basis.

18 The provisions of this section shall be in effect only from July 1, ~~2016~~
 19 2017 through June 30, ~~2017~~ 2018.

20

21 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND
 23 FACILITIES MATCHING GRANT PROGRAM - CARRY FORWARD. Any unexpended balance of
 24 monies allocated for the Broadband Facilities Matching Grant Program
 25 remaining on June 30, ~~2017~~ 2018, in the Department of Education Public School
 26 Fund Account shall be designated and retained for the Broadband Facilities
 27 Matching Grant Program.

28 Any carry forward of unexpected balance of funding as authorized herein, may
 29 be carried forward under the following conditions:

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

33 (2) The Department of Finance and Administration Office of Budget shall
 34 report to the Arkansas Legislative Council or Joint Budget Committee all
 35 amounts carried forward by the September Arkansas Legislative Council or
 36 Joint Budget Committee meeting which report shall include the name of the

1 Agency, Board, Commission or Institution and the amount of the funding
2 carried forward, the program name or line item, the funding source of that
3 appropriation and a copy of the written request set forth in item (1) above;

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

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

16 The provisions of this section shall be in effect only from July 1, ~~2016~~
17 2017 through June 30, ~~2017~~ 2018.

18
19 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
21 ALLOCATION. The appropriation for the Isolated Funding line item in the
22 Grants and Aid to Local School Districts and Special Programs section of this
23 Act may be fully funded. Any funding and appropriation for Isolated Funding
24 that is not utilized shall be transferred to the appropriation for Special
25 Needs Isolated Funding in the Grants and Aid to Local School Districts and
26 Special Programs section of this Act and shall be used there for fully
27 funding each subsection (c) through (f) of Arkansas Code §6-20-604 on a pro
28 rata basis until the available funds are exhausted. Pro rata basis is defined
29 as providing each district qualifying for additional funding under
30 subsections (c) through (f) a proportionate share based on how each
31 district's additional funding amount bears to the total additional funding
32 amounts for all qualifying districts. If any funding and appropriation
33 remains after funding each subsection (c) through (f) of Arkansas Code §6-20-
34 604 the remaining balance shall be used to fund the provisions of Arkansas
35 Code §6-20-604 (h) on an equal basis until the available funds are exhausted.

36 The provisions of this section shall be in effect only from July 1, ~~2016~~

1 2017 through June 30, ~~2017~~ 2018.

2

3 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
5 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
6 Districts appropriation in the Grants and Aid to Local School Districts and
7 Special Programs section of this Act, "school district" means a school
8 district which contracts with a school district in an adjoining state for the
9 education of some of the pupils within the Arkansas school district because
10 the portion of the school district wherein such pupils live is completely
11 separated from the remainder of the school district by a reservoir covering
12 at least 12,000 acres at normal water level, and where to attend school in
13 their own district, the pupils of said portion would be required to travel or
14 to be transported a distance (measured by the nearest highway or road route)
15 of more than 35 miles round trip and pass through another school district or
16 districts. The Department of Education shall distribute the monies
17 appropriated for Grants to School Districts in the Grants and Aid to Local
18 School Districts and Special Programs section of this Act to such school
19 districts as reimbursement for expenses incurred in educating the pupils
20 residing in the separated portion of the school district. The payments are to
21 be limited to the amount of available appropriation. Such school districts
22 shall file a request for reimbursement with the Department of Education and
23 provide the Department of Education with such documentation as is deemed
24 necessary.

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 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
30 EDUCATION SERVICES. The funds appropriated in the line item "Special
31 Education Services" in the Grants and Aid to Local School Districts and
32 Special Programs section of this Act shall be used to provide extended year
33 summer programs for handicapped students in need of such services, to provide
34 special education services to foster children who are wards of the State, and
35 to provide funds for the payment of salaries of special education
36 supervisors. The Department of Education shall distribute such funds in the

1 manner necessary to carry out the intent of this Section.

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

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5 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

7 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
8 fiscal year thereafter, the Department of Education shall from time to time
9 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
10 State, the amount of funds disbursed or approved to be disbursed by the
11 Department of Education for desegregation expenses under any "Desegregation
12 Settlement Agreement". Upon the receipt of such certification, the State
13 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
14 202(b)(2)(B), shall also deduct from the net general revenues the amount
15 certified and transfer this amount to the Department of Education Public
16 School Fund Account there to be used exclusively for payment of or
17 reimbursement for expenses incurred from the Department of Education Public
18 School Fund Account under any "Desegregation Settlement Agreement".

19 The provisions of this section shall be in effect only from July 1, ~~2016~~
20 2017 through June 30, ~~2017~~ 2018.

21

22 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

24 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
25 Incentive shall be allocated in accordance with rules and regulations
26 established by the State Board of Education.

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 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

32 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
33 Residential Centers/Juvenile Detention shall be allocated in accordance with
34 rules and regulations established by the State Board of Education.

35 The provisions of this section shall be in effect only from July 1, ~~2016~~
36 2017 through June 30, ~~2017~~ 2018.

1
2 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
4 AUTHORITY. The Commissioner of the Department of Education, with the approval
5 of the Chief Fiscal Officer of the State and after approval by the Arkansas
6 Legislative Council or Joint Budget Committee, is hereby authorized to
7 request necessary appropriation transfers and any other budget related
8 adjustments necessary within the Department of Education. Provided, however,
9 that the Department of Education shall be limited to submitting no more than
10 two transfer requests during any fiscal year.

11 Determining the maximum number of employees and the maximum amount of
12 appropriation and general revenue funding for a state agency each fiscal year
13 is the prerogative of the General Assembly. This is usually accomplished by
14 delineating such maximums in the appropriation act(s) for a state agency and
15 the general revenue allocations authorized for each fund and fund account by
16 amendment to the Revenue Stabilization law. Further, the General Assembly
17 has determined that the Department of Education may operate more efficiently
18 if some flexibility is provided to the Commissioner of the Department of
19 Education authorizing broad powers under the Transfer Authority provision
20 herein. Therefore, it is both necessary and appropriate that the General
21 Assembly maintain oversight by requiring prior approval of the Legislative
22 Council or Joint Budget Committee as provided by this section. The
23 requirement of approval by the Legislative Council or Joint Budget Committee
24 is not a severable part of this section. If the requirement of approval by
25 the Legislative Council or Joint Budget Committee is ruled unconstitutional
26 by a court jurisdiction, this entire section is void.

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 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
32 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
33 authorized herein to the Department of Education for the Quiz Bowl each
34 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each
35 fiscal year may be made available to the Department of Education -
36 Educational Television Division for its documented costs associated with the

1 Quiz Bowl.

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 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
8 "Distressed School District Support" in the Grants and Aid to Local School
9 Districts and Special Programs section of this Act may be used for technical
10 assistance offered by the Department of Education to school districts in
11 academic distress that can include, but is not limited to, teacher
12 specialists, principal specialists, and other personnel assigned by the
13 department. These funds may also be used for alternative research-based
14 technical assistance or programs. Criteria for selecting and approving
15 alternative research-based technical assistance or programs are to be
16 promulgated as a rule by the State Board of Education, provided that
17 alternative staffing and/or compensation programs for teachers shall be
18 approved by at least a majority of the teachers in the school, schools, or
19 school district participating in the program.

20 The provisions of this section shall be in effect only from July 1, ~~2016~~
21 2017 through June 30, ~~2017~~ 2018.

22
23 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
25 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
26 Districts shall pay the teacher retirement employer contribution rate for any
27 eligible employee in accordance with rules and regulations established by the
28 Teacher Retirement Board of Directors. The appropriation contained herein for
29 Teacher Retirement Matching each fiscal year shall be used to provide the
30 employer matching for employees of the Cooperative Education Services Areas,
31 Vocational Centers, Arkansas Easter Seals and the school operated by the
32 Department of Correction.

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 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
2 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
3 authorized to expend a maximum of two percent (2%) of available funds for
4 administration of the Better Chance Program. Up to 1.8% of available funds
5 shall be used to administer the program and to monitor program grantees to
6 ensure compliance with programmatic standards. Prior to the utilization of
7 the remaining 0.2% of available funds, the Department of Education shall seek
8 prior review and approval of the Arkansas Legislative Council or Joint Budget
9 Committee by providing a written request to include the following: a) the
10 Department's reason(s) for the use of the funds and b) the amount of funds
11 that will be expended. The Department may contract with the Division of Child
12 Care and Early Childhood Education to administer the program.

13 Determining the maximum number of employees and the maximum amount of
14 appropriation and general revenue funding for a state agency each fiscal year
15 is the prerogative of the General Assembly. This is usually accomplished by
16 delineating such maximums in the appropriation act(s) for a state agency and
17 the general revenue allocations authorized for each fund and fund account by
18 amendment to the Revenue Stabilization law. Therefore, it is both necessary
19 and appropriate that the General Assembly maintain oversight by requiring
20 prior approval of the Legislative Council or Joint Budget Committee as
21 provided by this section. The requirement of approval by the Legislative
22 Council or Joint Budget Committee is not a severable part of this section.
23 If the requirement of approval by the Legislative Council or Joint Budget
24 Committee is ruled unconstitutional by a court of competent jurisdiction,
25 this entire section is void.

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

28

29 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
31 TEACHER SALARY. The Arkansas Department of Education is requested to
32 calculate Average Teacher Salary in the Department's Annual Statistical
33 Report to not include extra duty funds. Specifically, the Department is
34 requested to calculate the Average Teacher Salary amount using the National
35 Education Association definitions for Average Salary for Classroom Teachers.
36 The Arkansas Department of Education shall submit this data annually to the

1 National Education Association in accordance with that organization's
2 deadlines for submission for their report "Rankings and Estimates" which
3 includes state-by-state teacher salary comparisons.

4 The provisions of this section shall be in effect only from July 1, ~~2016~~
5 2017 through June 30, ~~2017~~ 2018.

6
7 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
9 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated
10 for the Arkansas Better Chance for School Success Program remaining on June
11 30, ~~2017~~ 2018, in the Department of Education Public School Fund Account
12 shall be designated and retained for the Arkansas Better Chance for School
13 Success Program.

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

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

19 (2) The Department of Finance and Administration Office of Budget shall
20 report to the Arkansas Legislative Council or Joint Budget Committee all
21 amounts carried forward by the September Arkansas Legislative Council or
22 Joint Budget Committee meeting which report shall include the name of the
23 Agency, Board, Commission or Institution and the amount of the funding
24 carried forward, the program name or line item, the funding source of that
25 appropriation and a copy of the written request set forth in (1) above;

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

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

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

3
4 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
6 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the
7 Department of Finance and Administration may use up to eleven dollars and
8 twenty cents (\$11.20) from each contribution made under Arkansas Code
9 §6-17-1117(a) to offset the cost of health insurance premiums to eligible
10 members electing to participate in the public school employees' health
11 insurance program as a retiree.

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

14
15 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
17 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
18 shall transfer on his books and those of the State Treasurer and the State
19 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
20 fiscal year from the Department of Education Public School Fund Account to
21 the University of Arkansas at Little Rock Fund, specifically to provide
22 funding for the Arkansas/STRIVE Program. The total amount of funds
23 transferred each fiscal year pursuant to this section shall not be subject to
24 any indirect costs by the University of Arkansas at Little Rock.

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 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
30 INSURANCE. The appropriation contained herein for Public School Employee
31 Insurance each fiscal year shall be used to provide the state contribution
32 for insurance premiums for employees of the Cooperative Education Services
33 Areas, Vocational Centers, and the school operated by the Department of
34 Correction who participate in the Arkansas Public School Life and Health
35 Insurance Program.

36 The provisions of this section shall be in effect only from July 1, ~~2016~~

1 2017 through June 30, ~~2017~~ 2018.

2

3 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
6 funding for Alternative Learning Environment Programs in excess of the
7 regulatory limitation of six (6) hours per day for those programs that
8 operate more than twelve hours per day, in a proportionate manner and upon
9 special request to the Department of Education.

10 The provisions of this section shall be in effect only from July 1, ~~2016~~
11 2017 through June 30, ~~2017~~ 2018.

12

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

18 The provisions of this section shall be in effect only from July 1, ~~2016~~
19 2017 through June 30, ~~2017~~ 2018.

20

21 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

23 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.

24 Effective for the plan year beginning January 1, ~~2016~~ 2017, if ninety-eight
25 percent (98%) of the uniform rate of tax used in the calculation of State
26 Foundation Funding Aid for fiscal year ~~2016-2017~~ 2017-2018 exceeds nine
27 hundred twenty million seven hundred thirty-one thousand eight hundred
28 nineteen dollars (\$920,731,819), the Department of Education shall pay up to
29 fifteen million dollars (\$15,000,000) of the total increase over the nine
30 hundred twenty million seven hundred thirty-one thousand eight hundred
31 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the
32 Department of Finance and Administration in additional health insurance
33 contributions for eligible employees electing to participate in the public
34 school employees' health insurance program administered by the State and
35 Public School Life and Health Insurance Board.

36 The Department of Education shall make the contributions by transferring

1 funds to the division in quarterly installments. Funds provided by the
2 Department of Education to the division under this section shall be
3 administered by the board for the benefit of the employee participants of the
4 public school employees' health insurance program.

5 The provisions of this section shall be in effect only from July 1, ~~2016~~
6 2017 through June 30, ~~2017~~ 2018.

7

8 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
10 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
11 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
12 addition to funds already being provided for the Arkansas Governor's School,
13 to fund the appropriation authorized from general revenue for the Gifted and
14 Talented program as appropriated in the Grants and Aid to Local School
15 Districts and Special Programs section herein. With this additional funding
16 the duration of the Arkansas Governor's School shall be extended from four
17 (4) weeks to six (6) weeks.

18 The provisions of this section shall be in effect only from July 1, ~~2016~~
19 2017 through June 30, ~~2017~~ 2018.

20

21 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
23 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
24 each fiscal year, an amount of not less than three million five thousand
25 dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each
26 fiscal year, shall be awarded through a grant or professional services
27 contract for the EAST Initiative. Not less than one million dollars
28 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or
29 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST
30 Initiatives shall be used for EAST infrastructure and personnel growth for
31 the establishment of new programs. The remaining funding shall be used for
32 existing EAST infrastructure, personnel, and operating expenses of the EAST
33 Initiative. The EAST infrastructure grant or contract for personal services
34 and operating expenses shall be awarded to an entity that has personnel or
35 experience, or both, in implementing the EAST Initiative.

36 The provisions of this section shall be in effect only from July 1,

1 ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

2
3 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
6 shall make available from the Intervention Block Grants appropriation
7 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
8 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
9 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for
10 grants up to \$1,000 each for students and chaperones, thirteen thousand five
11 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one
12 hundred thousand dollars (\$100,000) each fiscal year for the State History
13 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year
14 for a grant to the Arkansas Science Fair Association for grants to regional
15 and the state science fairs. The Department of Education shall allocate
16 General Revenue funding totaling no less than three hundred two thousand
17 dollars (\$302,000) each fiscal year from the Department of Education Public
18 School Fund Account to support the annual expenses of the Quiz Bowl, the
19 Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and
20 chaperones, Destination Imagination, the State History Day Competition, and
21 the Arkansas Science Fair Association for grants to regional and state
22 science fairs. The Department shall either expend or have committed for
23 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,
24 Inc., Destination Imagination, the State History Day Competition, and
25 Arkansas Science Fair Association grants as authorized herein in order to
26 fulfill the provisions of this section.

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 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
32 SCHOOL DISTRICT ISOLATED - BASE FUNDING UNDER CERTAIN CIRCUMSTANCES.

33 (a) The amount of funding a school district receives under either § 6-
34 20-604(c) and (h) or § 6-20-604(d) and (h) in the fiscal year 2014-2015 shall
35 become the base year funding for fiscal year 2015-2016 if a school district
36 meets the following requirements in the 2014-2015 fiscal year and all of the

1 following requirements except for population density ratio in the 2015-2016
2 fiscal year:

3 (1) Either:

4 (A) Sections 6-20-604(b) and (c); or

5 (B) Sections 6-20-604(b) and (d); and

6 (2) Section 6-20-601.

7 (b) If after the 2015-2016 fiscal year, an increase in a school
8 district's population density ratio precludes funding under § 6-20-604(c) and
9 (h) or § 6-20-604(d) and (h), the amount of funding a school district shall
10 receive is the amount specified under subsection (a) of this section less ten
11 percent (10%) cumulative each year until the funding amount a school district
12 receives is the amount of funding the school district is eligible to receive
13 under:

14 (1) Sections 6-20-604(e) and (h); or

15 (2) Section 6-20-604(f).

16 The provisions of this section shall be in effect only from July 1, ~~2016~~
17 2017 through June 30, ~~2017~~ 2018.

18

19 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional
22 Development Funding, three million five hundred thousand dollars (\$3,500,000)
23 may be authorized by the Commissioner of the Department of Education to be
24 used by the Department of Education to develop and implement statewide
25 professional development support systems for teachers that will benefit
26 student achievement.

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

29

30 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NSL
32 MATCHING GRANT PROGRAM. (a)(1) Of the appropriation and funding for the NSL
33 MATCHING GRANT PROGRAM Item in the Grants and Aid to Local School Districts
34 and Special Programs section of this Act, four million three hundred thousand
35 dollars (\$4,300,000) shall be set aside by the Department of Education and
36 shall be used for school district expenditures for evidence-based programs to

1 improve academic achievement of identified national school lunch students.

2 (2) These programs shall be limited to:

3 (A) Tutors as set out in § 6-20-2305(b)(4)(C)(i)(b)(4);

4 (B) Before-school academic programs and after-school academic
5 programs, including transportation to and from the programs
6 under § 6-20-2305(b)(4)(C)(i)(b)(2); and

7 (C) Prekindergarten programs under § 6-20-2305(b)(4)(C)(i)(b)(3).

8 (b)(1) Set aside funds authorized in subsection (a) of this section
9 shall be distributed to school districts on a dollar for dollar matching
10 basis of school district expenditures for programs under subsection (a) of
11 this section on a pro rata basis until the available funds are exhausted.

12 (2) As used in this subsection, "pro rata basis" means providing
13 each district qualifying for additional funding in a proportionate share
14 based on how each district's expenditure bears to the total of funding
15 provide in subsection (a) of this section for all qualifying districts as
16 determined by the Department of Education.

17 (c) If any funding remains after funding subsection (b) of this
18 section, that remaining balance shall be carried over to the following fiscal
19 year for the same purposes as provided in section.

20 (b) The Department of Education shall adopt rules as necessary to
21 implement this section.

22 The provisions of this section shall be in effect only from July 1,
23 2017 through June 30, 2018.

24
25 SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
26 authorized by this act shall be limited to the appropriation for such agency
27 and funds made available by law for the support of such appropriations; and
28 the restrictions of the State Procurement Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.

34
35 SECTION 34. LEGISLATIVE INTENT. It is the intent of the General
36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.
7

8 SECTION 35. EMERGENCY CLAUSE. It is found and determined by the
9 General Assembly, that the Constitution of the State of Arkansas prohibits
10 the appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2017 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2017 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2017.
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20 */s/Joint Budget Committee*
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