

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: S3/4/21 S4/7/21

# A Bill

SENATE BILL 111

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, 2022;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION  
15 APPROPRIATION FOR THE 2021-2022 FISCAL  
16 YEAR.  
17  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby  
23 established for the Department of Education for the 2021-2022 fiscal year,  
24 the following maximum number of regular employees.  
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2021-2022
30	(1) SC004	SECRETARY OF EDUCATION	1	GRADE SE05
31	(2) U089U	DHE DEPUTY DIRECTOR	1	GRADE SE02
32	(3) D011N	ADE DIRECTOR OF INFORMATION SYSTEMS	1	GRADE SE01
33	(4) N009N	ASST COMMISSIONER FISCAL & ADMIN SVCS	1	GRADE SE01
34	(5) E007N	ADE DIRECTOR OF COMPUTER SCIENCE	1	GRADE IT09
35	(6) D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
36	(7) D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	1	GRADE IT07



1	(8)	D038C SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE IT06
2	(9)	D047C INFORMATION SYSTEMS BUSINESS ANALYST	1	GRADE IT05
3	(10)	D061C INFORMATION SYSTEMS COORDINATION SPEC	1	GRADE IT05
4	(11)	G001N ADE LITIGATION ATTORNEY	1	GRADE GS15
5	(12)	G281C ADE POLICY & SPECIAL PROJECTS DIRECTOR	1	GRADE GS15
6	(13)	N002N DHE SENIOR ASSOC DIRECTOR	1	GRADE GS15
7	(14)	N069N ADE SPECIAL ADVISOR	1	GRADE GS14
8	(14.1)	<i>E001N ADE COORDINATOR SPECIAL PROGRAMS</i>	<i>1</i>	<i>GRADE GS13</i>
9	(15)	G019C GENERAL COUNSEL	1	GRADE GS13
10	(16)	G012C ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
11	(17)	G025C ATTORNEY SUPERVISOR	1	GRADE GS12
12	(18)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
13	(19)	A031C ASSISTANT CONTROLLER	1	GRADE GS11
14	(20)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
15	(21)	E006C PUBLIC SCHOOL PROGRAM MANAGER	1	GRADE GS11
16	(22)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
17	(23)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09
18	(24)	G074C ADE COORD OF GOVERNMENTAL AFFAIRS	1	GRADE GS09
19	(25)	A032C ADE FINANCE PROGRAM COORDINATOR	1	GRADE GS09
20	(26)	A038C FISCAL SUPPORT MANAGER	3	GRADE GS09
21	(27)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
22	(28)	E019C PUBLIC SCHOOL PROGRAM ADVISOR	2	GRADE GS09
23	(29)	G093C OPERATIONS MANAGER	2	GRADE GS08
24	(30)	R014C PERSONNEL MANAGER	2	GRADE GS08
25	(31)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
26	(32)	A041C PROGRAM FISCAL MANAGER	1	GRADE GS08
27	(33)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
28	(34)	S008C CAMPUS MAINTENANCE SUPERVISOR	2	GRADE GS07
29	(35)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
30	(36)	P020C PRODUCTION ARTIST	1	GRADE GS07
31	(37)	S033C MAINTENANCE SUPERVISOR	1	GRADE GS06
32	(38)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
33	(39)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
34	(40)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
35	(41)	C046C LEGAL SUPPORT SPECIALIST	1	GRADE GS04
36	(42)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04

1 (43) C073C ADMINISTRATIVE SPECIALIST II 1 GRADE GS03  
 2 MAX. NO. OF EMPLOYEES 57

3  
 4 SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is  
 5 hereby appropriated, to the Department of Education, to be payable from the  
 6 paying account as determined by the Chief Fiscal Officer of the State, for  
 7 personal services and operating expenses of the Department of Education -  
 8 Shared Services for the fiscal year ending June 30, 2022, the following:

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2021-2022</u>
12 (01) REGULAR SALARIES	\$3,998,566
13 (02) PERSONAL SERVICES MATCHING	1,203,387
14 (03) MAINT. & GEN. OPERATION	
15 (A) OPER. EXPENSE	100,000
16 (B) CONF. & TRAVEL	10,000
17 (C) PROF. FEES	0
18 (D) CAP. OUTLAY	0
19 (E) DATA PROC.	<u>0</u>
20 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,311,953</u></u>

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 22 SECTION 3. REGULAR SALARIES. There is hereby established for the  
 23 Department of Education - Division of Elementary and Secondary Education for  
 24 the 2021-2022 fiscal year, the following maximum number of regular employees.

26	Item Class	Maximum	Maximum Annual
27	No. Code Title	No. of	Salary Rate
28	<u>No. Code Title</u>	<u>Employees</u>	<u>Fiscal Year</u>
29			<u>2021-2022</u>
30	(1) U033U COMMISSIONER OF EDUCATION	1	GRADE SE05
31	(2) U027U DEPUTY COMMISSIONER OF EDUCATION	1	GRADE SE03
32	(3) N005N ADE ASST COMMISSIONER LEARNING SERVICES	1	GRADE SE01
33	(4) N006N ADE ASST COMMISSIONER PUB SCH ACCT	1	GRADE SE01
34	(5) N008N ASST COMMISSIONER RESEARCH & TECHNOLOGY	1	GRADE SE01
35	(6) N010N ASST COMM EDUC EFFECTIVENESS	1	GRADE SE01
36	(7) L027C REGISTERED NURSE SUPERVISOR	1	GRADE MP02

1	(8)	D104C ADE STATE SYSTEMS ADMINISTRATOR	4	GRADE IT08
2	(9)	D030C INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
3	(10)	D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
4	(11)	D047C INFORMATION SYSTEMS BUSINESS ANALYST	2	GRADE IT05
5	(12)	D052C SOFTWARE SUPPORT ANALYST	1	GRADE IT05
6	(13)	D044C SYSTEMS ANALYST	1	GRADE IT05
7	(14)	D064C WEBSITE DEVELOPER	1	GRADE IT04
8	(15)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
9	(16)	E072C DIRECTOR OF COMPUTER SCIENCE AND STEM	1	GRADE GS15
10	(17)	N069N ADE SPECIAL ADVISOR	6	GRADE GS14
11	(18)	E003N ADE COORD SCH. IMP / STANDARDS ASSUR	1	GRADE GS13
12	(19)	E001N ADE COORDINATOR SPECIAL PROGRAMS	1	GRADE GS13
13	(20)	A010C AGENCY CONTROLLER II	1	GRADE GS13
14	(21)	G012C ADE ASSISTANT TO DIRECTOR	6	GRADE GS12
15	(22)	G006C ADE SPECIAL EDUCATION DIVISION MGR	1	GRADE GS12
16	(23)	A021C AGENCY CONTROLLER I	1	GRADE GS12
17	(24)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
18	(25)	E006N ADE COORD COMPUTER SCIENCE	1	GRADE GS11
19	(26)	N149N ADE COORD FISCAL DISTRESS	1	GRADE GS11
20	(27)	E069C ADE DIRECTOR OF MEDICAID IN SCHOOLS	1	GRADE GS11
21	(28)	E006C PUBLIC SCHOOL PROGRAM MANAGER	13	GRADE GS11
22	(29)	E007C ADE OERZ DIRECTOR	1	GRADE GS10
23	(30)	G075C ADE PROGRAM ADMINISTRATOR	3	GRADE GS10
24	(31)	E016C PUBLIC SCHOOL PROGRAM COORDINATOR	20	GRADE GS10
25	(32)	A052C ACCOUNTING COORDINATOR	5	GRADE GS09
26	(33)	A032C ADE FINANCE PROGRAM COORDINATOR	2	GRADE GS09
27	(34)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
28	(35)	A038C FISCAL SUPPORT MANAGER	5	GRADE GS09
29	(36)	G109C GRANTS MANAGER	3	GRADE GS09
30	(37)	P004C PUBLIC INFORMATION MANAGER	3	GRADE GS09
31	(38)	E019C PUBLIC SCHOOL PROGRAM ADVISOR	102	GRADE GS09
32	(39)	E066C DCCECE EDUCATION MANAGER	1	GRADE GS08
33	(40)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
34	(41)	L043C HEALTH PROGRAM SPECIALIST III	1	GRADE GS08
35	(42)	L035C NUTRITIONIST CONSULTANT	9	GRADE GS08
36	(43)	G093C OPERATIONS MANAGER	2	GRADE GS08

1	(44)	R014C PERSONNEL MANAGER	1	GRADE GS08
2	(45)	A041C PROGRAM FISCAL MANAGER	5	GRADE GS08
3	(46)	A089C ACCOUNTANT I	1	GRADE GS07
4	(47)	G267C DHS PROGRAM ELIGIBILITY ANALYST	1	GRADE GS07
5	(48)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
6	(49)	A075C FINANCIAL ANALYST I	1	GRADE GS07
7	(50)	G147C GRANTS COORDINATOR	1	GRADE GS07
8	(51)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
9	(52)	C037C ADMINISTRATIVE ANALYST	14	GRADE GS06
10	(53)	M053C CHILD CARE SERVICE SPECIALIST	5	GRADE GS06
11	(54)	A074C FISCAL SUPPORT SUPERVISOR	4	GRADE GS06
12	(55)	G180C GRANTS ANALYST	2	GRADE GS06
13	(56)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
14	(57)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
15	(58)	G178C POLICY DEVELOPMENT COORDINATOR	4	GRADE GS06
16	(59)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
17	(60)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
18	(61)	V014C BUYER	1	GRADE GS05
19	(62)	A091C FISCAL SUPPORT ANALYST	3	GRADE GS05
20	(63)	D077C HELP DESK SPECIALIST	1	GRADE GS05
21	(64)	C056C ADMINISTRATIVE SPECIALIST III	36	GRADE GS04
22	(65)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
23	(66)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
24	(67)	C073C ADMINISTRATIVE SPECIALIST II	<u>21</u>	GRADE GS03
25		MAX. NO. OF EMPLOYEES	322	

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27 SECTION 4. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,  
 28 for the Department of Education - Division of Elementary and Secondary  
 29 Education - State Operations for the 2021-2022 fiscal year, the following  
 30 maximum number of part-time or temporary employees, to be known as "Extra  
 31 Help", payable from funds appropriated herein for such purposes: eight (8)  
 32 temporary or part-time employees, when needed, at rates of pay not to exceed  
 33 those provided in the Uniform Classification and Compensation Act, or its  
 34 successor, or this act for the appropriate classification.

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36 SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby

1 appropriated, to the Department of Education, to be payable from the Division  
 2 of Elementary and Secondary Education Fund Account, for personal services and  
 3 operating expenses of the Department of Education - Division of Elementary  
 4 and Secondary Education - State Operations for the fiscal year ending June  
 5 30, 2022, the following:

7	ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2021-2022</u>
9	(01) REGULAR SALARIES	\$13,300,504
10	(02) EXTRA HELP	160,000
11	(03) PERSONAL SERVICES MATCHING	4,277,539
12	(04) MAINT. & GEN. OPERATION	
13	(A) OPER. EXPENSE	3,411,057
14	(B) CONF. & TRAVEL	93,161
15	(C) PROF. FEES	100,000
16	(D) CAP. OUTLAY	100,000
17	(E) DATA PROC.	<u>0</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$21,442,261</u>

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20 SECTION 6. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. There is  
 21 hereby appropriated, to the Department of Education, to be payable from the  
 22 federal funds as designated by the Chief Fiscal Officer of the State, for  
 23 personal services and operating expenses of the Department of Education -  
 24 Division of Elementary and Secondary Education - Federal Grants  
 25 Administration for the fiscal year ending June 30, 2022, the following:

27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2021-2022</u>
29	(01) REGULAR SALARIES	\$395,877
30	(02) PERSONAL SERVICES MATCHING	122,343
31	(03) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	49,970
33	(B) CONF. & TRAVEL	19,672
34	(C) PROF. FEES	260,000
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$847,862

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3 SECTION 7. APPROPRIATION - BUILDING MAINTENANCE. There is hereby  
4 appropriated, to the Department of Education, to be payable from the  
5 Educational Buildings Maintenance Fund, for operating expenses of the  
6 Department of Education - Division of Elementary and Secondary Education -  
7 Building Maintenance for the fiscal year ending June 30, 2022, the following:

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9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2021-2022</u>
11 (01) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	\$500,000
13 (B) CONF. & TRAVEL	0
14 (C) PROF. FEES	0
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	<u>0</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$500,000</u>

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19 SECTION 8. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There  
20 is hereby appropriated, to the Department of Education, to be payable from  
21 the Education Revolving Loan Certificates Fund, for personal services and  
22 operating expenses of the Department of Education - Division of Elementary  
23 and Secondary Education - Revolving Loan Certificates Fund for the fiscal  
24 year ending June 30, 2022, the following:

25

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2021-2022</u>
28 (01) REGULAR SALARIES	\$47,552
29 (02) PERSONAL SERVICES MATCHING	16,204
30 (03) MAINT. & GEN. OPERATION	
31 (A) OPER. EXPENSE	27,500
32 (B) CONF. & TRAVEL	2,500
33 (C) PROF. FEES	10,000
34 (D) CAP. OUTLAY	0
35 (E) DATA PROC.	0
36 (04) LOANS TO SCHOOL DISTRICTS	<u>13,000,000</u>

1 TOTAL AMOUNT APPROPRIATED \$13,103,756

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3 SECTION 9. APPROPRIATION - CHILD NUTRITION PROGRAM. There is hereby  
 4 appropriated, to the Department of Education, to be payable from the federal  
 5 funds as designated by the Chief Fiscal Officer of the State, for personal  
 6 services and operating expenses of the Department of Education - Division of  
 7 Elementary and Secondary Education - Child Nutrition Program for the fiscal  
 8 year ending June 30, 2022, the following:

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10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2021-2022</u>
12 (01) REGULAR SALARIES	\$1,127,105
13 (02) PERSONAL SERVICES MATCHING	380,278
14 (03) MAINT. & GEN. OPERATION	
15 (A) OPER. EXPENSE	1,172,100
16 (B) CONF. & TRAVEL	52,600
17 (C) PROF. FEES	156,400
18 (D) CAP. OUTLAY	50,000
19 (E) DATA PROC.	0
20 (04) SCHOOL FOOD SERVICE/NUTRITION ED	225,000,000
21 (05) REFUNDS/REIMBURSEMENTS	<u>450,000</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$228,388,483</u>

23

24 SECTION 10. EXTRA HELP - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.  
 25 There is hereby authorized, for the Department of Education - Division of  
 26 Elementary and Secondary Education - Federal Elementary and Secondary  
 27 Education for the 2021-2022 fiscal year, the following maximum number of  
 28 part-time or temporary employees, to be known as "Extra Help", payable from  
 29 funds appropriated herein for such purposes: three (3) temporary or part-  
 30 time employees, when needed, at rates of pay not to exceed those provided in  
 31 the Uniform Classification and Compensation Act, or its successor, or this  
 32 act for the appropriate classification.

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34 SECTION 11. APPROPRIATION - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.  
 35 There is hereby appropriated, to the Department of Education, to be payable  
 36 from the federal funds as designated by the Chief Fiscal Officer of the

1 State, for personal services and operating expenses of the Department of  
 2 Education - Division of Elementary and Secondary Education - Federal  
 3 Elementary and Secondary Education for the fiscal year ending June 30, 2022,  
 4 the following:

6 ITEM	FISCAL YEAR
7 NO.	<u>2021-2022</u>
8 (01) REGULAR SALARIES	\$2,927,497
9 (02) EXTRA HELP	10,000
10 (03) PERSONAL SERVICES MATCHING	945,873
11 (04) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	91,242,005
13 (B) CONF. & TRAVEL	715,500
14 (C) PROF. FEES	12,851,105
15 (D) CAP. OUTLAY	200,000
16 (E) DATA PROC.	0
17 (05) ENTITLEMENT GRANT PROGRAMS	1,172,398,129
18 (06) REFUNDS/REIMBURSEMENTS	<u>1,110,000</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$1,282,400,109</u>

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21 SECTION 12. APPROPRIATION - MULTIPLE GRANT AWARD PROGRAM. There is  
 22 hereby appropriated, to the Department of Education, to be payable from the  
 23 cash fund deposited in the State Treasury as determined by the Chief Fiscal  
 24 Officer of the State, for operating expenses and grants by the Department of  
 25 Education - Division of Elementary and Secondary Education - Multiple Grant  
 26 Award Program for the fiscal year ending June 30, 2022, the following:

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28 ITEM	FISCAL YEAR
29 NO.	<u>2021-2022</u>
30 (01) MAINT. & GEN. OPERATION	
31 (A) OPER. EXPENSE	\$422,000
32 (B) CONF. & TRAVEL	16,500
33 (C) PROF. FEES	40,000
34 (D) CAP. OUTLAY	100,000
35 (E) DATA PROC.	0
36 (02) MULTIPLE GRANT AWARDS	<u>1,000,000</u>

1 TOTAL AMOUNT APPROPRIATED \$1,578,500

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3 SECTION 13. APPROPRIATION - MEDICAID REIMBURSEMENT PROGRAM. There is  
 4 hereby appropriated, to the Department of Education, to be payable from the  
 5 cash fund deposited in the State Treasury as determined by the Chief Fiscal  
 6 Officer of the State, for Medicaid reimbursement and administration of the  
 7 Department of Education - Division of Elementary and Secondary Education -  
 8 Medicaid Reimbursement Program for the fiscal year ending June 30, 2022, the  
 9 following:

10

11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2021-2022</u>
13 (01) REFUNDS/REIMBURSEMENTS	\$13,659,017
14 (02) MEDICAID ADMIN	<u>10,500</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$13,669,517</u>

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17 SECTION 14. APPROPRIATION - ALTERNATIVE CERTIFICATION PROGRAM. There  
 18 is hereby appropriated, to the Department of Education, to be payable from  
 19 the cash fund deposited in the State Treasury as determined by the Chief  
 20 Fiscal Officer of the State, for operating expenses and grants by the  
 21 Department of Education - Division of Elementary and Secondary Education -  
 22 Alternative Certification Program for the fiscal year ending June 30, 2022,  
 23 the following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2021-2022</u>
27 (01) MAINT. & GEN. OPERATION	
28 (A) OPER. EXPENSE	\$227,367
29 (B) CONF. & TRAVEL	8,500
30 (C) PROF. FEES	35,420
31 (D) CAP. OUTLAY	0
32 (E) DATA PROC.	0
33 (02) ALT. CERT. PROG. GRANTS AND AID	<u>1,077,925</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$1,349,212</u>

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36 SECTION 15. APPROPRIATION - CONFERENCES. There is hereby appropriated,

1 to the Department of Education, to be payable from the cash fund deposited in  
 2 the State Treasury as determined by the Chief Fiscal Officer of the State,  
 3 for operating expenses of conferences sponsored by the Department of  
 4 Education - Division of Elementary and Secondary Education - Conferences for  
 5 the fiscal year ending June 30, 2022, the following:

6	7 ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2021-2022</u>
9	(01) MAINT. & GEN. OPERATION	
10	(A) OPER. EXPENSE	\$400,000
11	(B) CONF. & TRAVEL	25,000
12	(C) PROF. FEES	50,000
13	(D) CAP. OUTLAY	0
14	(E) DATA PROC.	<u>0</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$475,000</u>

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## 17 SECTION 16. APPROPRIATION - MEDICAID ADMINISTRATION CLAIMING PROGRAM.

18 There is hereby appropriated, to the Department of Education, to be payable  
 19 from the cash fund deposited in the State Treasury as determined by the Chief  
 20 Fiscal Officer of the State, for reimbursement of school districts for  
 21 administrative activities that support the Arkansas Medicaid Program of the  
 22 Department of Education - Division of Elementary and Secondary Education -  
 23 Medicaid Administration Claiming Program for the fiscal year ending June 30,  
 24 2022, the following:

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26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2021-2022</u>
28	(01) AR MEDICAID ADMIN CLAIMS	<u>\$31,250,000</u>

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## 30 SECTION 17. APPROPRIATION - ARKANSAS BETTER CHANCE PROGRAM -

31 ADMINISTRATION. There is hereby appropriated, to the Department of  
 32 Education, to be payable from the Division of Elementary and Secondary  
 33 Education Fund Account, for personal services and operating expenses of the  
 34 Department of Education - Division of Elementary and Secondary Education -  
 35 Arkansas Better Chance Program - Administration for the fiscal year ending  
 36 June 30, 2022, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$452,155
(02) PERSONAL SERVICES MATCHING	156,730
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,245,291
(B) CONF. & TRAVEL	3,917
(C) PROF. FEES	297,610
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$2,155,703</u></u>

SECTION 18. REGULAR SALARIES - PROFESSIONAL LICENSURE STANDARDS BOARD.

There is hereby established for the Department of Education - Division of Elementary and Secondary Education - Professional Licensure Standards Board for the 2021-2022 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
		<u>Employees</u>	<u>Fiscal Year</u>
			<u>2021-2022</u>
(1)	G004C MANAGING ATTORNEY	1	GRADE GS13
(2)	G073C ATTORNEY	1	GRADE GS10
(3)	X012C ADE PLSB CHIEF INVESTIGATOR	1	GRADE GS09
(4)	X202C ADE PLSB SENIOR INVESTIGATOR	2	GRADE GS08
(5)	X037C EDUCATION INVESTIGATOR	4	GRADE GS08
(6)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
(7)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
(8)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
	MAX. NO. OF EMPLOYEES	13	

SECTION 19. APPROPRIATION - PROFESSIONAL LICENSURE STANDARDS BOARD.

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

1 Fiscal Officer of the State, for personal services and operating expenses of  
2 the Department of Education - Division of Elementary and Secondary Education  
3 - Professional Licensure Standards Board for the fiscal year ending June 30,  
4 2022, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2021-2022</u>
8 (01) REGULAR SALARIES	\$662,224
9 (02) PERSONAL SERVICES MATCHING	220,657
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	376,325
12 (B) CONF. & TRAVEL	10,000
13 (C) PROF. FEES	9,505
14 (D) CAP. OUTLAY	50,000
15 (E) DATA PROC.	0
16 (04) EDTPA PROGRAM GRANTS	<u>100,000</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,428,711</u></u>

18

19 SECTION 20. APPROPRIATION - OPEN ENROLLMENT PUBLIC CHARTER SCHOOL  
20 CLOSURE. There is hereby appropriated, to the Department of Education, to be  
21 payable from the cash fund deposited in the State Treasury as determined by  
22 the Chief Fiscal Officer of the State, for outstanding obligations incurred  
23 by closed charter schools of the Department of Education - Division of  
24 Elementary and Secondary Education for the fiscal year ending June 30, 2022,  
25 the following:

26

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2021-2022</u>
29 (01) CHARTER SCHOOL CLOSURE	<u><u>\$300,000</u></u>

30

31 SECTION 21. APPROPRIATION - SUCCEED SCHOLARSHIP PROGRAM. There is  
32 hereby appropriated, to the Department of Education, to be payable from the  
33 Division of Elementary and Secondary Education Fund Account, for expenses of  
34 the Succeed Scholarship Program of the Department of Education - Division of  
35 Elementary and Secondary Education - Succeed Scholarship Program for the  
36 fiscal year ending June 30, 2022, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) SUCCEED SCHOLARSHIP PROGRAM	<u>\$3,300,000</u>

SECTION 22. APPROPRIATION - SAVE THE CHILDREN. There is hereby appropriated, to the Department of Education, to be payable from the Division of Elementary and Secondary Education Fund Account, for a grant for statewide after school literacy, nutrition, home visiting and early childhood programs to be administered by Save the Children for low income, at-risk children of the Department of Education - Division of Elementary and Secondary Education - Save the Children for the fiscal year ending June 30, 2022, the sum of.....\$2,000,000.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. Notwithstanding any law pertaining to the transfer of year-end fund balances or any law to the contrary, any funds which remain in the Division of Elementary and Secondary Education Fund Account at the end of a fiscal year shall remain in the Division of Elementary and Secondary Education Fund Account and be made available to fund appropriation(s) authorized by law and made payable from the Division of Elementary and Secondary Education Fund Account for the following fiscal year.

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

- (1) Prior to June 30, ~~2021~~ 2022 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council or Joint Budget Committee all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a

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

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

12 The provisions of this section shall be in effect only from July 1, ~~2020~~  
13 2021 through June 30, ~~2021~~ 2022.

14

15 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY OF  
17 THE COMMISSIONER OF THE DEPARTMENT OF EDUCATION. It is the intent of the  
18 General Assembly that the appropriation for the salary of the Commissioner of  
19 the Department of Education shall be the sole and exclusive authority for his  
20 or her salary. It is further the intent of the General Assembly that the  
21 Commissioner be required to devote all of his or her working time exclusively  
22 to the performance of his or her duties as Commissioner of the Department of  
23 Education. Therefore, the Commissioner of the Department of Education is  
24 hereby prohibited from accepting any additional salary from any other source  
25 (including state, federal, or private entities or persons) for the  
26 performance of his or her duties as Commissioner, and is prohibited from  
27 accepting any salary, fees or compensation from any other source (including  
28 state, federal or private entities or persons) for any other employment of  
29 any kind outside the scope of his or her duties as Commissioner, including  
30 but not limited to consulting work for any other public or private entity.  
31 This section shall not be construed to prohibit the Commissioner from  
32 accepting or receiving expense reimbursements and employee benefits as  
33 provided by State law.

34 The provisions of this section shall be in effect only from July 1, ~~2020~~  
35 2021 through June 30, ~~2021~~ 2022.

36

1 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

3 ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from  
4 statewide education issues and the necessity of recruiting and retaining  
5 qualified personnel, the Arkansas Department of Education or its successor  
6 agency is authorized for the ~~2020-2021~~ 2021-2022 fiscal year a pool of no  
7 more than five (5) Information Technology positions at a salary not to exceed  
8 the maximum salary for a grade IT12. These positions are to be used by the  
9 Department of Education in the event that the personal services needs of the  
10 Department during the ~~2020-2021~~ 2021-2022 fiscal year require additional  
11 positions, either by title or in number, that are not authorized by the  
12 General Assembly in the Regular Salaries section of this Act. These positions  
13 may also be used to properly classify positions when the Department does not  
14 have a vacant position available with the appropriate title and salary level.

15 (b) To address needs emerging from statewide education issues and the  
16 necessity of recruiting and retaining qualified personnel, the Arkansas  
17 Department of Education or its successor agency is authorized for the ~~2020-~~  
18 ~~2021~~ 2021-2022 fiscal year a pool of ten (10) General Salaries positions at  
19 up to a grade GS15. These positions are to be used by the Department of  
20 Education in the event that the personal services needs of the Department  
21 during the ~~2020-2021~~ 2021-2022 fiscal year require additional positions,  
22 either by classification or in number, that are not authorized by the General  
23 Assembly in the Regular Salaries section of this Act. These positions may  
24 also be used to properly classify positions when the Department does not have  
25 a vacant position available with the appropriate title and grade level.

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

30 (d) The Department of Education is authorized to access the pool  
31 positions authorized in this Section at any time when it is determined by the  
32 Commissioner that the need exists. The Commissioner shall provide a monthly  
33 report of the justification for the need to allocate titles from this growth  
34 pool to the Chief Fiscal Officer of the State and to the Arkansas Legislative  
35 Council or Joint Budget Committee for review. The report shall also include  
36 an accounting of the names, titles, and salaries of personnel whose salaries

1 have been adjusted under provisions of Subsections (a) and (b) of this  
2 Section.

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

7 (f) Determining the number of personnel to be employed by a state agency  
8 is the prerogative of the General Assembly and is usually accomplished by  
9 delineating the maximum number of personnel by identifying job titles and the  
10 maximum grade or salary attached to those titles. The General Assembly has  
11 determined that the Arkansas Department of Education could be operated more  
12 efficiently if some flexibility is given to that agency. That flexibility is  
13 being accomplished by providing a position pool in Subsections (a) and (b) of  
14 this Section and since the General Assembly has granted the agency broad  
15 powers under the growth pool concept, it is both necessary and appropriate  
16 that the General Assembly maintain oversight of the utilization of the  
17 position pool by requiring review of the Legislative Council or Joint Budget  
18 Committee in the utilization of the position pool. Therefore, the requirement  
19 of review by the Legislative Council or Joint Budget Committee is not a  
20 severable part of this section. If the requirement of review by the  
21 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
22 court of competent jurisdiction, this entire section is void.

23 The provisions of this section shall be in effect only from July 1, ~~2020~~  
24 2021 through June 30, ~~2021~~ 2022.

25

26 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
28 FUND RESTRICTIONS. No state funds shall be used for abortion referral in  
29 public schools, or for abortion services. Funds shall be expended in  
30 accordance with Arkansas Code Annotated § 6-18-703.

31 The provisions of this section shall be in effect only from July 1, ~~2020~~  
32 2021 through June 30, ~~2021~~ 2022.

33

34 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED  
36 SERVICES.

1 (a)(1)(A) The Chief Fiscal Officer of the State may create paying  
2 accounts on his or her books and on the books of the Treasurer of State and  
3 the Auditor of State for the payment of personal services and operating  
4 expenses by the Department of Education.

5 (B) Upon prior approval of the Arkansas Legislative Council, or  
6 if meeting in Legislative Session the Joint Budget Committee, the Chief  
7 Fiscal Officer of the State shall direct the transfer of funds and  
8 appropriations to the Shared Services Paying Account appropriation section of  
9 this act and the transfer of positions to the Regular Salaries – Shared  
10 Services appropriation section of this act on the books of the Treasurer of  
11 State, the Auditor of State, and the Chief Fiscal Officer of the State.

12 (2) The transfer authority provided in subdivision (a)(1) of  
13 this section for efficiencies and to eliminate duplication of services are  
14 limited only to those services that are provided for multiple divisions of a  
15 department, including without limitation to administration, human resources,  
16 procurement, communications, fleet operations, and information services.

17 (3) The transfer authority provided to the department in  
18 subdivision (a)(1) of this section may be used to make transfers only within  
19 the department's appropriation act or between other appropriation acts  
20 authorized for the department.

21 (b)(1) Each department utilizing the Shared Services Paying Account  
22 section or Regular Salaries – Shared Services section of this act shall  
23 submit a report to be included in the Budget Manuals for hearings, conducted  
24 by the General Assembly, listing all shared services transfers of positions,  
25 funds, and appropriation under this section, which shall be submitted as  
26 instructed by the Department of Finance and Administration - Office of Budget  
27 for uniformity.

28 (2) A report submitted under subdivision (b)(1) of this section  
29 shall include the following:

30 (A) The position number, authorized position title, class  
31 code, grade, business area, and name of the division, section, or unit for  
32 the position being transferred to the Regular Salaries – Shared Services  
33 section of this act; and

34 (B) The fund center, appropriation, appropriation amount,  
35 commitment item or items, business area, and name of the division, section,  
36 or unit for the fund or appropriation being transferred to the Shared

1 Services Paying Account.

2 (c)(1) It is the intent of the Ninety-Second General Assembly that the  
3 authority under this section to transfer positions is intended for use for  
4 the time period prior to Fiscal Year ~~2022~~ 2023 to allow cabinet-level  
5 departments to establish a centralized Regular Salaries - Shared Services  
6 section, with the recommendation that the position transfer authority granted  
7 under this section be discontinued after that time.

8 (2) The Bureau of Legislative Research shall bring the  
9 recommendation in subdivision (c)(1) of this section to the attention of the  
10 chairs conducting the ~~2021~~ 2022 ~~Regular~~ Fiscal Session pre-session budget  
11 hearings, the chairs of the Special Language Subcommittee, and the members of  
12 the Special Language Subcommittee during pre-session budget hearings.

13 (d) Determining the maximum number of employees and the maximum amount  
14 of appropriation and general revenue funding for a cabinet-level department  
15 each fiscal year is the prerogative of the General Assembly and is usually  
16 accomplished by delineating the maximums in the appropriation act or acts and  
17 establishing authorized positions and the general revenue allocations  
18 authorized for each fund and fund account by amendment to the Revenue  
19 Stabilization Law. Further, the General Assembly has determined that the  
20 cabinet-level departments created under Acts 2019, No. 910, may operate more  
21 efficiently if some flexibility is provided as authorized under this section.  
22 Therefore, it is both necessary and appropriate that the General Assembly  
23 maintain oversight by requiring prior approval of the Legislative Council or,  
24 if the General Assembly is in session, the Joint Budget Committee, as  
25 provided by this section. The requirement of approval by the Legislative  
26 Council or Joint Budget Committee is not a severable part of this section.  
27 If the requirement of approval by the Legislative Council or Joint Budget  
28 Committee is ruled unconstitutional by a court of competent jurisdiction,  
29 this entire section is void.

30 (e) The provisions of this section shall be in effect from the date of  
31 passage through June 30, ~~2021~~ 2022.

32

33 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
34 authorized by this act shall be limited to the appropriation for such agency  
35 and funds made available by law for the support of such appropriations; and  
36 the restrictions of the State Procurement Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
2 Procedures and Restrictions Act, or their successors, and other fiscal  
3 control laws of this State, where applicable, and regulations promulgated by  
4 the Department of Finance and Administration, as authorized by law, shall be  
5 strictly complied with in disbursement of said funds.

6  
7 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General  
8 Assembly that any funds disbursed under the authority of the appropriations  
9 contained in this act shall be in compliance with the stated reasons for  
10 which this act was adopted, as evidenced by the Agency Requests, Executive  
11 Recommendations and Legislative Recommendations contained in the budget  
12 manuals prepared by the Department of Finance and Administration, letters, or  
13 summarized oral testimony in the official minutes of the Arkansas Legislative  
14 Council or Joint Budget Committee which relate to its passage and adoption.

15  
16 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the  
17 General Assembly, that the Constitution of the State of Arkansas prohibits  
18 the appropriation of funds for more than a one (1) year period; that the  
19 effectiveness of this Act on July 1, 2021 is essential to the operation of  
20 the agency for which the appropriations in this Act are provided, and that in  
21 the event of an extension of the legislative session, the delay in the  
22 effective date of this Act beyond July 1, 2021 could work irreparable harm  
23 upon the proper administration and provision of essential governmental  
24 programs. Therefore, an emergency is hereby declared to exist and this Act  
25 being necessary for the immediate preservation of the public peace, health  
26 and safety shall be in full force and effect from and after July 1, 2021.

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28  
29 */s/ Joint Budget Committee*  
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