

**REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT**

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9904 Department of Education

ACT#: 216

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from statewide education issues and the necessity of recruiting and retaining qualified personnel, the Arkansas Department of Education or its successor agency is authorized for the ~~2022-2023~~ 2023-2024 fiscal year a pool of no more than five (5) Information Technology positions at a salary not to exceed the maximum salary for a grade IT12. These positions are to be used by the Department of Education in the event that the personal services needs of the Department during the ~~2022-2023~~ 2023-2024 fiscal year require additional positions, either by title or in number, that are not authorized by the General Assembly in the Regular Salaries section of this Act. These positions may also be used to properly classify positions when the Department does not have a vacant position available with the appropriate title and salary level.

(b) To address needs emerging from statewide education issues and the necessity of recruiting and retaining qualified personnel, the Arkansas Department of Education or its successor agency is authorized for the ~~2022-2023~~ 2023-2024 fiscal year a pool of ten (10) General Salaries positions at up to a grade GS15. These positions are to be used by the Department of Education in the event that the personal services needs of the Department during the ~~2022-2023~~ 2023-2024 fiscal year require additional positions, either by classification or in number, that are not authorized by the General Assembly in the Regular Salaries section of this Act. These positions may also be used to properly classify positions when the Department does not have a vacant position available with the appropriate title and grade level.

(c) Any salary determinations or adjustments administered under the

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9904 Department of Education

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provisions of Subsections (a) and (b) of this Section shall be made by comparing the qualifications and salary levels of similar employees in school districts or in other state education agencies.

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

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

(f) Determining the number of personnel to be employed by a state agency is the prerogative of the General Assembly and is usually accomplished by delineating the maximum number of personnel by identifying job titles and the maximum grade or salary attached to those titles. The General Assembly has determined that the Arkansas Department of Education could be operated more efficiently if some flexibility is given to that agency. That flexibility is being accomplished by providing a position pool in Subsections (a) and (b) of this Section and since the General Assembly has granted the agency broad powers under the growth pool

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concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the position pool by requiring review of the Legislative Council or Joint Budget Committee in the utilization of the position pool. Therefore, the requirement of review by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of review by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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9904 Department of Education

ACT#: 216

SECTION#: 28

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SHARED SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a Shared Services paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses in the Shared Services Paying Account Appropriation by the Department of Education.

(2) The Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(3) The transfer authority provided to the department in subdivision (a)(2) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(4) The provisions of this section shall be in effect from the date of passage through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - General Education

ACT#: 216

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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, ~~2023~~ 2024 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 written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later

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EXECUTIVE RECOMMENDATION

than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0500 DOE - General Education

ACT#: 216

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 25-43-503, concerning the Secretary of the Department of Education, is amended to add additional subsections to codify special language in appropriation acts to read as follows:

(g) The appropriation for the salary of the Secretary shall be the sole and exclusive authority for his or her salary.

(h) The secretary shall:

(1) Devote all of his or her working time exclusively to the performance of his or her duties as secretary; and

(2) Not accept any additional salary from any other source, including without limitation state, federal, or a private entity or person, for the performance of his or her duties as secretary; and

(3) Not accept any salary, fees, or compensation from any other source, including without limitation state, federal, or a private entity or person, for any other employment of any kind outside the scope of his or her duties as secretary, including without limitation consulting work for any other public or private entity.

(i) This section does not prohibit the secretary from accepting or receiving expense reimbursements and employee benefits as provided under state law.

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0500 DOE - General Education

ACT#: 216

SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~STATE FUND RESTRICTIONS. No state funds shall be used for abortion referral in public schools, or for abortion services. Funds shall be expended in accordance with Arkansas Code Annotated § 6-18-703.~~

~~The provisions of this section shall be in effect only from July 1, 2022 2023 through June 30, 2023-2024.~~

~~**Note: This language is codified in Ark. Code Ann. §6-18-703(e)**~~

AGENCY REQUEST

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0500 DOE - General Education

ACT#: 3 of 22, 3rdES

SECTION#: 2

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

AGENCY REQUEST

SECTION 2. DO NOT CODIFY. TEMPORARY LANGUAGE. (a) ~~Immediately upon the effective date of this act, a new sub-fund within the Restricted Reserve Fund shall be established as the "School Safety Set-Aside or Contingency Vote 3/5 9 Set-Aside".~~

(b) (1) The Department of Education shall not begin the process of promulgating rules for the distribution of funds in the School Safety Set Aside or Contingency Vote 3/5 Set-Aside until authorized by Legislative Council.

(2) The department shall not disburse any funds in the School Safety Set-Aside or Contingency Vote 3/5 Set-Aside until the rules have been approved by Legislative Council.

(c) Notwithstanding other provisions of law, the Chief Fiscal Officer of the State may from time to time transfer on his or her books and those of the Treasurer of State and the Auditor of State funds from the Restricted Reserve Fund School Safety Set-Aside or Contingency Vote 3/5 Set-Aside after receiving prior approval of the greater of three-fifths (3/5) of the quorum present or a majority of the membership of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, for the Department of Education to distribute funds for the School Safety Grant program, as approved in this section as set out in subsection (b) herein, or for the distribution of funds from this set-aside for unanticipated state needs.

(d)(1) The General Assembly finds:

(A) Determining the maximum amount of appropriation and funding for a state agency or institution each fiscal year is the prerogative of the

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - General Education

ACT#: 3 of 22, 3rdES

SECTION#: 2

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

General Assembly;

(B) Determining the maximum amount of appropriation and funding for a state agency or institution is usually accomplished by delineating the maximum amounts in the appropriation acts for the state agency or institution and in the general revenue allocations authorized for each relevant fund and fund account by amendment to the Revenue Stabilization Law, § 19-5-101 et seq.; and

(C) The Restricted Reserve Fund has established procedures for the transfer of funds to various funds and fund accounts for the efficient and effective operation of state government.

(2)(A) It is necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, as provided in § 19-5-1263(c).

(B) The requirement of approval by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, is not a severable part of § 19-5-1263.

(C) If the requirement of approval by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, is ruled unconstitutional by a court of competent jurisdiction, § 19-5-1263(c)-(e) are void in their entirety.

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0500 DOE - General Education

ACT#: 3 of 22, 3rdES

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~SECTION 3. DO NOT CODIFY. TEMPORARY LANGUAGE. FUNDING TRANSFER. Immediately upon the effective date of this act the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of State, a sum of fifty million dollars (\$50,000,000) from the General Revenue Allotment Reserve Fund to the School Safety Set Aside or Contingency Vote 3/5 Set Aside sub-fund in the Restricted Reserve Fund.~~

~~The provisions of this section shall be in effect only from July 1, 2022 through June 30, 2023.~~

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Fund

ACT#: 217

SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

R.I.S.E. ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for R.I.S.E. Arkansas remaining on June 30, ~~2023~~ 2024, in the Division of Elementary and Secondary Education Public School Fund Account shall be designated and retained for the R.I.S.E. Arkansas. Any carry forward of unexpected balance of funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, ~~2023~~ 2024 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 item (1) above;

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

(4) Thereupon, the Department of Finance and Administration shall

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0500 DOE - Public School Fund

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SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 8

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND ALLOCATION. The appropriation for the Isolated Funding line item in the Grants and Aid to Local School Districts and Special Programs section of this Act may be fully funded. Any funding and appropriation for Isolated Funding that is not utilized shall be transferred to the appropriation for Special Needs Isolated Funding in the Grants and Aid to Local School Districts and Special Programs section of this Act and shall be used there for fully funding each subsection (c) through (f) of Arkansas Code § 6-20-604 on a pro rata basis until the available funds are exhausted. Pro rata basis is defined as providing each district qualifying for additional funding under subsections (c) through (f) a proportionate share based on how each district's additional funding amount bears to the total additional funding amounts for all qualifying districts. If any funding and appropriation remains after funding each subsection (c) through (f) of Arkansas Code § 6-20-604 the remaining balance shall be used to fund the provisions of Arkansas Code § 6-20-604 (h) on an equal basis until the available funds are exhausted.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Fund

ACT#: 217

SECTION#: 9

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

GRANTS TO SCHOOL DISTRICTS. For the purposes of distributing the Grants To School Districts appropriation in the Grants and Aid to Local School Districts and Special Programs section of this Act, "school district" means a school district which contracts with a school district in an adjoining state for the education of some of the pupils within the Arkansas school district because the portion of the school district wherein such pupils live is completely separated from the remainder of the school district by a reservoir covering at least 12,000 acres at normal water level, and where to attend school in their own district, the pupils of said portion would be required to travel or to be transported a distance (measured by the nearest highway or road route) of more than 35 miles round trip and pass through another school district or districts. The Department of Education shall distribute the monies appropriated for Grants to School Districts in the Grants and Aid to Local School Districts and Special Programs section of this Act to such school districts as reimbursement for expenses incurred in educating the pupils residing in the separated portion of the school district. The payments are to be limited to the amount of available appropriation. Such school districts shall file a request for reimbursement with the Department of Education and provide the Department of Education with such documentation as is deemed necessary.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 10

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL EDUCATION SERVICES. The funds appropriated in the line item "Special Education Services" in the Grants and Aid to Local School Districts and Special Programs section of this Act shall be used to provide extended year summer programs for handicapped students in need of such services, to provide special education services to foster children who are wards of the State, and to provide funds for the payment of salaries of special education supervisors. The Department of Education shall distribute such funds in the manner necessary to carry out the intent of this Section.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 11

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 6, Chapter 13, Subchapter 14, is amended to add an additional section to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

6-13-1418. Consolidation incentive.

An appropriation for consolidation incentive shall be allocated to a resulting district or a receiving district, respectively, according to rules promulgated by the State Board of Education.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 12

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-20-107, concerning educational costs related to the placement of juveniles in residential or inpatient facilities, is amended to add an additional subsection to codify special language in appropriation acts to read as follows:

(g) The funds appropriated to the division for residential or inpatient facilities shall be allocated in accordance with rules promulgated by the State Board of Education.

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-20-104, concerning reimbursement for educational services provided in juvenile detention facilities, is amended to add an additional subsection to read as follows:

(d) The funds appropriated to the division for juvenile detention facilities shall be allocated in accordance with rules promulgated by the State Board of Education.

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2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Fund

ACT#: 217

SECTION#: 13

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER AUTHORITY. The Commissioner of the Department of Education, with the approval of the Chief Fiscal Officer of the State and after approval by the Arkansas Legislative Council or Joint Budget Committee, is hereby authorized to request necessary appropriation transfers and any other budget related adjustments necessary within the Department of Education. Provided, however, that the Department of Education shall be limited to submitting no more than two transfer requests during any fiscal year.

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

The provisions of this section shall be in effect only from July 1, ~~2022~~

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SECTION#: 13

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

2023 through June 30, ~~2023~~ 2024.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 14

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

AETN DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds authorized herein to the Department of Education for the Quiz Bowl each fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each fiscal year may be made available to the Department of Education - Educational Television Division for its documented costs associated with the Quiz Bowl.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 15

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 24-7-103 is amended to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

24-7-103. Payment of employer contribution rate.

(a) Local school districts shall pay the teacher retirement employer contribution rate for any eligible employee in accordance with rules established by the Board of Trustees of the Arkansas Teacher Retirement System.

(b) The funding amount appropriated by the General Assembly for teacher retirement matching each fiscal year shall be used to provide the employer matching for employees of the following entities:

(1) An education service cooperative;

(2) A vocational center;

(3) Easterseals Arkansas; and

(4) The Arkansas Correctional School District.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 16

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

BETTER CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby authorized to expend a maximum of two percent (2%) of available funds for administration of the Better Chance Program. Up to 1.8% of available funds shall be used to administer the program and to monitor program grantees to ensure compliance with programmatic standards. Prior to the utilization of the remaining 0.2% of available funds, the Department of Education shall seek prior review and approval of the Arkansas Legislative Council or Joint Budget Committee by providing a written request to include the following: a) the Department's reason(s) for the use of the funds and b) the amount of funds that will be expended. The Department may contract with the Division of Elementary and Secondary Education to administer the program.

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

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0500 DOE - Public School Fund

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SECTION#: 16

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2022~~
~~2023~~ through June 30, ~~2023~~ 2024.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 17

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

AVERAGE TEACHER SALARY. The Arkansas Department of Education is requested to calculate Average Teacher Salary in the Department's Annual Statistical Report to not include extra duty funds. Specifically, the Department is requested to calculate the Average Teacher Salary amount using the National Education Association definitions for Average Salary for Classroom Teachers. The Arkansas Department of Education shall submit this data annually to the National Education Association in accordance with that organization's deadlines for submission for their report "Rankings and Estimates" which includes state-by-state teacher salary comparisons.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 18

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated for the Arkansas Better Chance for School Success Program remaining on June 30, ~~2023~~ 2024, in the Division of Elementary and Secondary Education Public School Fund Account shall be designated and retained for the Arkansas Better Chance for School Success Program.

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

(1) Prior to June 30, ~~2023~~ 2024 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 written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 19

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 21-5-415, concerning nonpayment of premiums and the failure to file reports by a state agency or school district, is amended to add an additional subsection to codify special language in appropriation acts to read as follows:

(d) The division may use up to eleven dollars and twenty cents (\$11.20) from each contribution made under § 6-17-1117(a) to offset the cost of health insurance premiums to eligible members electing to participate in the public school employees' health insurance program as a retiree.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Fund

ACT#: 217

SECTION#: 20

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the State Auditor, the sum of two hundred thousand dollars (\$200,000) during each fiscal year from the Division of Elementary and Secondary Education Public School Fund Account to the University of Arkansas at Little Rock Fund, specifically to provide funding for the Arkansas/STRIVE Program. The total amount of funds transferred each fiscal year pursuant to this section shall not be subject to any indirect costs by the University of Arkansas at Little Rock.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Fund

ACT#: 217

SECTION#: 21

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-17-1117(b) (1), concerning the amount paid by the Division of Elementary and Secondary Education to the Employee Benefits Division for purposes of the public school employees' health insurance program, is amended to codify special language in appropriation acts to read as follows:

(b)(1)(A) The Division of Elementary and Secondary Education shall pay the Employee Benefits Division the amount established by the House Committee on Education and the Senate Committee on Education through the biennial adequacy review process required by § 10-3-2102, factored according to the medical component of the Consumer Price Index for All Urban Consumers, for each eligible employee electing to participate in the public school employees' health insurance program administered by the State Board of Finance.

(B) In addition to the amount paid by the Division of Elementary and Secondary Education for eligible employees electing to participate in the public school employees' health insurance program, the amount paid by the Division of Elementary and Secondary Education to the Employee Benefits Division under this section shall include amounts appropriated to be used to provide contributions for insurance premiums for employees of the following who are participating in the State and Public School Life and Health Insurance Program:

- (i) An education service cooperative;
- (ii) A vocational center; and
- (iii) The Arkansas Correctional School District.

AGENCY REQUEST

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-48-104(a)(1), concerning the promulgation of rules regarding the funding of alternative learning environment programs by the Division of Elementary and Secondary Education, is amended to add an additional subdivision to codify special language in appropriation acts to read as follows:

(D) The division may provide funding in a proportionate manner and upon special request to the division by a school district for an alternative learning environment program in excess of the limit of six (6) hours per day for alternative learning environment programs that operate for more than twelve (12) hours per day.

AGENCY REQUEST

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~STATE FUND RESTRICTIONS. No state funds shall be used for abortion referral in public schools, or for abortion services. Funds shall be expended in accordance with Arkansas Code Annotated §6-18-703.~~

~~The provisions of this section shall be in effect only from July 1, 2022 2023 through June 30, 2023-2024.~~

~~**Note: This language is codified in Ark. Code Ann. §6-18-703(e)**~~

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Fund

ACT#: 217

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS GOVERNOR’S SCHOOL FUNDING. The Department of Education shall allocate, budget and commit for expenditure two hundred fifty thousand dollars (\$250,000), in addition to funds already being provided for the Arkansas Governor’s School, to fund the appropriation authorized from general revenue for the Gifted and Talented program as appropriated in the Grants and Aid to Local School Districts and Special Programs section herein. With this additional funding either the department shall increase the number of grants for AEGIS summer enrichment programs, or the duration of the Arkansas Governor’s School shall be extended from four (4) weeks to six (6) weeks.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Fund

ACT#: 217

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EAST FUNDING PROVISION. Of the total amount appropriated for Technology Grants each fiscal year, an amount of not less than three million five thousand dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each fiscal year, shall be awarded through a grant or professional services contract for the EAST Initiative. Not less than one million dollars (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST Initiatives shall be used for EAST infrastructure and personnel growth for the establishment of new programs. The remaining funding shall be used for existing EAST infrastructure, personnel, and operating expenses of the EAST Initiative. The EAST infrastructure grant or contract for personal services and operating expenses shall be awarded to an entity that has personnel or experience, or both, in implementing the EAST Initiative.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Fund

ACT#: 217

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

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0500 DOE - Public School Fund

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SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PROFESSIONAL DEVELOPMENT.

AGENCY REQUEST

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

(b)(1) The Department of Education shall annually report the following information concerning the Arkansas Online Professional Development Initiative under § 6-17-707:

- (1) Annual expenditure information;
- (2) Statistical information pertaining to users of the initiative;
- (3) Course offerings;
- (4) Course hours completed; and
- (5) Certificates awarded.

(2) The report under subsection (b)(1) of this section shall be annually submitted by August 1 to the:

- (1) Governor;
- (2) Legislative Council or, if the General Assembly is in session, the Joint Budget Committee;
- (3) Senate Committee on Education;
- (4) House Committee on Education; and
- (5) Department of Finance and Administration.

(c) The provisions of this section shall be in effect only from July 1,

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0500 DOE - Public School Fund

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SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 28

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~NSL~~ ESA MATCHING GRANT PROGRAM.

AGENCY REQUEST

(a)(1) Of the appropriation and funding for the ~~NSL~~ ESA MATCHING GRANT PROGRAM Item in the Grants and Aid to Local School Districts and Special Programs section of this Act, five million three hundred thousand dollars (\$5,300,000) shall be set aside by the Department of Education and shall be used for school district expenditures for evidence-based programs to improve academic achievement of identified national school lunch students.

(2) These programs shall be limited to:

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

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

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

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

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

(c) If any funding remains after funding subsection (b) of this section, that remaining balance shall be carried over to the following fiscal

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0500 DOE - Public School Fund

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SECTION#: 28

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

year for the same purposes as provided in this section.

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

(e) The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 29

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

R.I.S.E. ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in the Grants and Aid to Local School Districts and Special Programs section of this Act shall be used for the coordination of a statewide reading campaign with community partners, parents, and teachers to establish the importance of reading in homes, schools, and communities.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 30

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~EDUCATOR COMPENSATION REFORM SUB-FUND. Funds shall be kept separate from all other monies in the Public School Fund and are to be utilized over a four-year period, beginning July 1, 2019, to assist school districts in ensuring that all educators in Arkansas public school districts receive a minimum annual salary of \$36,000 by July 1, 2023. The Educator Compensation Reform Fund shall not be considered part of a school district's net legal balance or net legal balance revenues for the purpose of meeting the requirements on limitation of fund balances pursuant to A.C.A. 6-20-2210. The Arkansas Department of Education shall promulgate rules to administer this section.~~

~~— The provisions of this section shall be in effect only from July 1, 2022-2023 through June 30, 2023-2024.~~

AGENCY REQUEST

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ENHANCED STUDENT ACHIEVEMENT FUNDING NAME CHANGE. Any appropriation titled "ENHANCED STUDENT ACHIEVEMENT FUNDING" or abbreviated as "ESA" as named by SB605 of 2019 may also be known as "NATIONAL SCHOOL LUNCH" funding or abbreviated as "NSL" and shall be used for the same purposes as set out in law.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

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0500 DOE - Public School Fund

ACT#: 217

SECTION#: 32

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS GOVERNOR'S SCHOOL CURRICULUM. Prior to the beginning of the Arkansas Governor's School Program each year, the Arkansas Department of Education shall review and approve the proposed curriculum for the program year and shall maintain oversight of its implementation for consistency and accuracy.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Fund

ACT#: 217

SECTION#: 33

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~ENHANCED STUDENT ACHIEVEMENT FUNDING. The Enhanced Student Achievement Funding appropriation in the Grants and Aid to Local School Districts and Special Programs section of this Act is to be disbursed according to the provisions under Arkansas Code § 6-20-2305(b)(4).~~

~~(a)(1) In 2020, as a result of the coronavirus 2019 (COVID-19) pandemic, the United States Department of Agriculture implemented the Seamless Summer Option, which:~~

~~(A) Allows all public school students to receive a meal from the public school in which he or she is enrolled at no charge, regardless of his or her free or reduced-price lunch status; and~~

~~(B) Has resulted in a significantly lower number of income verification forms being completed, which are used to verify the students who qualify for a free or reduced-price school meal.~~

~~(2) Under Arkansas Code § 6-20-2305(b)(4), the calculation of the amount of Enhanced Student Achievement Funding that a public school district receives is based on the percentage of enrolled students who qualify as national school lunch students, which is based on income verification forms submitted on behalf of students.~~

~~(b) Notwithstanding the provisions established under Arkansas Code § 6-20-2305(b)(4), for Fiscal Year 2023, a public school district shall not receive less Enhanced Student Achievement Funding than the amount it received in Fiscal Year 2022. Any public school district entitled to Enhanced Student Achievement Funding above the amount that was received in Fiscal Year 2022 due to an increased number of identified national school lunch students shall receive the Enhanced Student Achievement Funding amount~~

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~as calculated under Arkansas Code § 6-20-2305(b)(4).~~

~~(c) The provisions of this section shall be in effect only from July 1, 2022-2023 through June 30, 2023-2024.~~

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0500 DOE - Public School Academic Facilities & Transportation

ACT#: 171

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER AUTHORITY - OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL FACILITIES LOAN PROGRAM. The Department of Education - Division of Public School Academic Facilities and Transportation is authorized to transfer any funds that are made available for the Open-Enrollment Public Charter School Facilities Loan Program, including funds from the General Improvement Fund or its successor fund or fund accounts, to the Open-Enrollment Public Charter School Facilities Loan Fund.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Academic Facilities & Transportation

ACT#: 171

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER AUTHORITY. The Director of the Department of Education - Division of Public School Academic Facilities and Transportation, with the approval of the Chief Fiscal Officer of the State and after approval by the Arkansas Legislative Council or Joint Budget Committee, is hereby authorized to request necessary appropriation transfers and any other budget related adjustments necessary only for the appropriations authorized in this Act. Furthermore, it is the intent of the General Assembly that the Department of Education - Division of Public School Academic Facilities and Transportation be able to make use of additional contractual services as necessary and that transfers between line items and among appropriations are anticipated to accomplish those purposes. Provided, however, that the Department of Education - Division of Public School Academic Facilities and Transportation shall be limited to submitting no more than two transfer requests during any fiscal year.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Education - Division of Public School Academic Facilities and Transportation may operate more efficiently if some flexibility is provided to the Director of the Department of Education - Division of Public School Academic Facilities and Transportation authorizing broad powers under the Transfer Authority

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0500 DOE - Public School Academic Facilities & Transportation

ACT#: 171

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

provision herein. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0590 DOE - Career & Technical Education

ACT#: 86

SECTION#: 12

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FEDERAL MATCHING. The funds appropriated in Sections for Coordinated Career Education Services, Vocational Center Aid and Vocational Start-up Grants and Aid of this Act may also be used to match any available federal funds from any agency in order to provide the maximum amount of money possible for the purposes enumerated in such Section.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0590 DOE - Career & Technical Education

ACT#: 86

SECTION#: 13

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 6, Chapter 50, Subchapter 1, is amended to add an additional section and to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

6-50-105. Vocational start-up funding.

Funds appropriated for vocational start-ups shall be allocated in accordance with rules promulgated by the Career Education and Workforce Development Board.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0590 DOE - Career & Technical Education

ACT#: 86

SECTION#: 14

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~FUND TRANSFER. Upon approval from the Chief Fiscal Officer of the State, the Division of Career and Technical Education may transfer an amount not to exceed fifty thousand dollars (\$50,000) per fiscal year from the Alternative Retirement Program Cash Fund to the Division of Career and Technical Education Public School Fund Account for Vocational Start-up Grants and Aid.~~

~~_____ The provisions of this section shall be in effect only from July 1, 2022-2023 through June 30, 2023-2024.~~

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 30

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 25, Chapter 7, Subchapter 1, is amended to add an additional section to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

25-7-103. Emergency grants - Extra help pool.

(a) An institution of higher education affected by a disaster emergency resulting in the interruption of all or a significant portion of campus operations may request disaster assistance through the Division of Higher Education.

(b) Upon the declaration of a disaster emergency by the Governor under § 12-75-107, an institution of higher education affected by the disaster emergency may request, subject to the recommendation of the Director of the Division of Higher Education and approval by the Governor, a grant from the Disaster Relief Fund to:

(1) Return the institution of higher education to normal operations; or

(2)(A) Enable a campus that is part of and incorporated into the institution of higher education affected by the disaster emergency to provide services to the students enrolled in the campus of the institution of higher education affected by the disaster emergency.

(B) A certified law enforcement officer employed by an institution of higher education during the declaration of a disaster emergency by the Governor under § 12-75-107 may be granted jurisdiction at a campus that is part of and incorporated into the institution of higher education affected by the disaster emergency upon agreement of both campuses.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 30

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(c)(1) The division is authorized a pool of five hundred (500) extra help positions for use in an emergency or a disaster event.

(2) The extra help positions authorized under subdivision (c) (1) of this section may be assigned to:

(A) The campus affected by the disaster emergency;

or

(B) A campus that is part of and incorporated into the institution of higher education affected by the disaster emergency that is providing services to the students enrolled in the campus affected by the disaster emergency.

(3) The Governor may waive the restriction on periods of time during which an employee may be employed as extra help during a fiscal year under § 6-63-314.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE - REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon determination by the president or chancellor of an institution of higher education that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the institution is necessary for efficient and effective operations of the institution, the president or chancellor, with approval of the institution's board of trustees, may have the authority to transfer positions, appropriations and related funds between campuses, divisions, branches, and other budgetary units of the institution, after receiving prior approval of the Legislative Council or Joint Budget Committee. The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly. The transfers, consolidations, or reorganizations which involve academic programs shall be reviewed by the Division of Higher Education prior to submission to the Legislative Council or Joint Budget Committee. Provided, however, that the institution shall be limited to submitting no more than two (2) individual transaction transfer requests during any fiscal year and shall be further limited to no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, positions specific to each institution, and no Tobacco Settlement funds or appropriations may be reallocated pursuant to this section.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for institutions of higher education each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

the appropriation act(s) for institutions of higher education and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that institutions of higher education may operate more efficiently if some flexibility is provided to institutions of higher education authorizing broad powers under this section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 32

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~DHE — LOANS. In order to provide timely payments under financial aid appropriations made in this Act, the Chief Fiscal Officer of the State is authorized to provide loans from the Budget Stabilization Trust Fund to make available all funds attributable to the financial aid programs under the then current official revenue estimates. In the event of an unanticipated state revenue shortfall, any such loans remaining at the end of a fiscal year shall be repaid from revenues distributed in the first two months of the next fiscal year. Funds for appropriations made in this Act for purposes other than financial aid shall not be affected by the application of this provision.~~

~~The provisions of this section shall be in effect only from July 1, 2022 2023 through June 30, 2023-2024.~~

Recommendation: *DELETE* - ALREADY CODIFIED AT § 19-5-506.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 33

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE - WORK FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made available to the various technical colleges have been determined as set out in Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B), such documents as may be necessary shall be processed so that funds may be transferred from the Work Force 2000 Development Fund to the State Treasury fund or fund account from which the technical college draws its general revenue support. Such funds as may be transferred shall not exceed 93.691% of the total funds available from the Work Force 2000 Development Fund during the fiscal year.

In the event that a technical institute or comprehensive lifelong learning center which receives support from the Work Force 2000 Development Fund as determined by law transfers or merges into the Arkansas Technical College and Community College System for which Work Force 2000 Development Fund monies are determined by law, then the actual amount of support from the Work Force 2000 Development Fund in the preceding fiscal year for such educational institution shall be made available irrespective of any other provision of law which sets out maximum levels of support from such fund.

The funds distributed under Arkansas Code 26-51-205(d)(2)(C) in excess of those amounts collected and distributed prior to June 30, 2014 shall be deposited into the Skills Development Fund to be used only for personal services, grants, operation, support, and improvement of occupational, vocational, technical, and workforce development programs by the Department of Career Education - Office of Skills Development. The distributions of funds under Arkansas Code 26-51-205(d)(2)(C) in excess of

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2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

those amounts collected and distributed prior to June 30, 2014 shall not apply to proceeds allocated to schools, colleges and educational institutions under Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B).

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 34

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE - BUILDING MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the Higher Education Building Maintenance Fund, any additional deposits are to be transferred to the Research Development Fund there to be used as provided by law.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 35

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~DHE — NATIONAL GUARD TUITION INCENTIVE PROGRAM. In addition to any other provisions of law, any student who receives assistance from the appropriation made for the "National Guard Tuition Incentive Program" in this Act shall repay any loans and/or assistance if the student receives a discharge that is a less than Honorable Discharge. Priority for funding shall be given to students already receiving assistance from the National Guard Tuition Incentive Program.~~

~~—The provisions of this section shall be in effect only from July 1, 2022 2023 through June 30, 2023-2024.~~

Recommendation: The agency has said that the language is no longer needed and can be deleted.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 36

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-81-1101(f), concerning tuition assistance for certain professional schools, is amended to codify special language in appropriation acts to read as follows:

(f)(1)(A)(i) The Arkansas Higher Education Coordinating Board, after consulting with the recognized associations of each of the applicable medical professions and other interested persons, shall determine the priorities for the grants and loans under this section.

(ii) The division shall readjust, if necessary, the number of positions for entering students to be funded for each grant or loan based upon the priorities determined by the board.

(B) The division will allocate, based upon funds appropriated, the number of eligible grant recipients to receive funds at each participating institution for each applicable academic period.

(2)(A) Each participating institution will select eligible grant recipients for each applicable academic period.

(B) In the event that the number of eligible students accepted for enrollment at such participating institution exceeds the number of eligible grant recipients for whom funds have been allocated by the division from funds appropriated, such participating institution shall have sole discretion in selecting the eligible students to designate as eligible grant recipients.

(3) The division shall make grants according to the allocations made by the division and selections made by the participating institutions. The division shall have no obligation to make any grants except to the extent that funds have been appropriated and funded for the program.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 37

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 6, Chapter 61, Subchapter 2, is amended to add an additional section to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

6-61-235. Reporting requirements - Financial aid programs.

The Division of Higher Education shall report annually by May 30 to the House Committee on Education and the Senate Committee on Education the:

(1) Budgeted allocation for each financial aid program that is funded through the Higher Education Grants Fund Account for the upcoming fiscal year; and

(2) Projections for the following fiscal year for the budgeted allocation for each financial aid program that is funded through the Higher Education Grants Fund Account.

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0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 38

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-60-113, concerning accountability and transparency at state-supported institutions of higher education, is amended to add an additional subsection to codify special language in appropriation acts to read as follows:

(c) A state-supported institution of higher education that receives state funds administered by the division for scholarships shall be subject to the audit of those state funds by Arkansas Legislative Audit, upon approval of the Legislative Joint Auditing Committee.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 39

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 21-5-1404, concerning effect of the Higher Education Uniform Classification and Compensation Act on appropriation acts, is amended to add an additional subsection to codify special language in appropriation acts to read as follows:

(e)(1) New funding through the Revenue Stabilization Law, § 19-5-101 et seq., that is determined by the Division of Higher Education to have been for salary increases for the current fiscal year for institutions of higher education shall be used exclusively for salary increases.

(2) New funding through the Revenue Stabilization Law, § 19-5-101 et seq., that is actually received for salary increases shall be spent exclusively for salary increases based upon the state general revenue portion of total unrestricted educational and general revenue.

(3)(A) Funding received under this subsection shall be used for no purposes other than to provide salary increases.

(B) Any designated funds not used for salary increases under this subsection shall be recouped at the end of each fiscal year and transferred by the division to the General Revenue Allotment Reserve Fund.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 40

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall transfer sufficient funding for the fiscal year from the Higher Education Grants Fund Account to the Division of Higher Education Fund Account in order to finance the personal services costs of a DHE Program Coordinator.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

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0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 41

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE - TRANSFER PROVISION. Upon certification by the Director of the Division_of Higher Education that transfers are needed to make maximum utilization of funds and appropriations provided for financial aid programs, and with the approval of the Chief Fiscal Officer of the State and a review by the Arkansas Legislative Council or Joint Budget Committee, funds and appropriations may be transferred between financial aid programs to more adequately align the appropriation with the number of eligible students.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 42

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE - TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS AND LOANS. Upon certification to and with the approval of the Chief Fiscal Officer of the State, surplus funds and appropriations may be transferred between the appropriations provided for "Health Education Grants and Loans" by this Act by the General Assembly for Dental Aid Grants and Loans, Optometry Aid Grants and Loans, Veterinary Aid, Veterinary Med. Loan Forgiveness Program, Podiatry Aid, and Chiropractic Aid.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE - CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval by the Department of Education - Division of Higher Education and the Chief Fiscal Officer of the State, institutions of higher education may transfer appropriation from the cash contingency appropriation to any other appropriation made to the institution from cash funds including the establishment of commitment items, and may transfer appropriation from the contingency appropriation made payable from each institution's State Treasury Fund to the state operations appropriation made payable from each institution's State Treasury Fund including the establishment of commitment items, and may transfer appropriation from the contingency appropriation made payable from the Tobacco Settlement Program Fund Accounts to any other appropriation made to the institution from Tobacco Settlement Program Fund Accounts including the establishment of commitment items.

(b) Contingency appropriation transfers shall only establish and supplement commitment items that were recommended by the Higher Education Coordinating Board in the budget manuals presented to the Legislative Council and Joint Budget Committee.

(c) The Department of Education - Division of Higher Education shall report contingency appropriation transfers and the establishment of any commitment items authorized by this Section to the Legislative Council or Joint Budget Committee for review during its July meeting. The report shall include, by institution, the establishment of, and the amounts transferred to, each commitment item, the reasons therefor and the source of funds. Institutions shall submit contingency appropriation transfer and commitment

AGENCY REQUEST

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0700 DOE - Higher Education Division

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SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

item establishment requests authorized by this Section to the Division of Higher Education no later than July 1. Upon the failure of an institution to submit the required information by the July 1 deadline, the Department of Education - Division of Higher Education shall immediately notify by written notification the chairpersons of the Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 44

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 6, Chapter 61, Subchapter 2, is amended to add an additional section to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

6-61-236. Student Undergraduate Research Fellowship Program - Established.

(a) There is established the Student Undergraduate Research Fellowship Program, which shall be administered by the Division of Higher Education and division staff.

(b) The program shall focus on the continued development of undergraduate academic research efforts at state-supported colleges and universities.

(c) The division shall promulgate rules necessary for the implementation and operation of the program.

(d) The responsibilities of the division in administering the program shall include without limitation the following:

(1) The development of eligibility criteria for a recipient of a fellowship under the program;

(2) The collection of applications for a fellowship under the program;

(3) The coordination of student evaluations under the program;

(4) The distribution of public notices regarding the program;
and

(5) The funding of grants for academic research purposes under the program.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 44

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(e) The division may expense costs associated with the administration of the program from funds made payable from the Higher Education Grants Fund Account for the program as authorized to be used for student assistance grants and scholarships in the division's operative appropriation act.

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0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 45

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 23-115-801(d) (3)(C), concerning lottery proceeds, is amended to codify special language in appropriation acts to read as follows:

(C)(i) The office shall reimburse the division for the costs of administering the scholarship awards funded with net proceeds from the lottery after the Legislative Council's review under this subsection.

(ii) After the reimbursement of funds received by the division from the office under subdivision (d)(3)(C)(i) of this section, the division may refund the funds to the:

(a) Division of Higher Education Fund

Account; or

(b) Higher Education Grants Fund

Account.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 46

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-82-1503, concerning the eligibility for amount of the Critical Needs Minority Teacher Scholarship Program, is amended to add an additional subsection to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

(g) The Director of the Division of Higher Education shall:

(1)(A) Determine the amount available to fund the Critical Needs Minority Teacher Scholarship Program.

(B) However, the amount determined under subdivision (g)(1)(A) of this section shall not exceed two hundred thousand dollars (\$200,000); and

(2)(A) Certify to the Chief Fiscal Officer of the State and the Treasurer of State the amount determined under subdivision (g)(1)(A) of this section to be transferred from the Higher Education Grants Fund Account.

(B)(i) Upon receipt of the certification under subdivision (g)(2)(A) of this section, the Chief Fiscal Officer of the State and the Treasurer of State shall transfer the necessary amount from the Higher Education Grants Fund Account and the related appropriation to the University of Arkansas at Pine Bluff Fund.

(ii) The university may use up to twenty percent (20%) of the funds and appropriation received under subdivision (g)(2)(B)(i) of this section for the administration of the Critical Needs Minority Teacher Scholarship Program under this section.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 47

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 6, Chapter 61, Subchapter 2, is amended to add an additional section to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

6-61-235. Administrative fees.

(a) The Division of Higher Education may recover nonrefundable administrative fees related to the institutional certification and exemption process for out-of-state, nonpublic, and for-profit colleges and universities.

(b) Fees in this section eligible for recovery include:

(1) Notification fees;

(2) Application processing fees; and

(3) Travel expenses for individuals on the certification review teams.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 48

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE WORKFORCE INITIATIVE ACT FUNDING. The Chief Fiscal Officer of the State may transfer, on his or her books and those of the State Treasurer and the Auditor of the State, funding up to the amount authorized in the Workforce Initiative Act of 2015 appropriation section in this Act, from the Division of Higher Education Fund Account to the Workforce Initiative Act of 2015 Fund in order to finance the distribution of grants identified under §6-60-107.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 49

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~DHE — ARKANSAS WORKFORCE CHALLENGE SCHOLARSHIP FUNDS. The Department of Education — Division of Higher Education may transfer Arkansas Workforce Challenge Scholarship funds to:~~

~~————— (1)(A) An Arkansas Academic Challenge Scholarship account in an amount necessary to fund scholarship awards for nontraditional students for the 2017-2018 academic year that were not funded due to the limitation on the scholarship award amount for nontraditional students under § 6-85-212(e)(2)(A) as it existed before the effective date of this act.~~

~~————— (B) The department may distribute scholarship awards to nontraditional students for the 2017-2018 academic year from funds transferred under subdivision (1)(A) of this section; and~~

~~————— (2)(A) The Office of the Arkansas Lottery in an amount not to exceed the amount required to fund scholarship awards to be distributed under § 6-85-201 et seq. for the 2018-2019 or 2019-2020 academic years without having to draw upon the Scholarship Shortfall Reserve Trust Account under § 23-115-802.~~

~~————— (B) If the transfer under subdivision (2)(A) of this section exhausts the department's Arkansas Workforce Challenge Scholarship funds and there remain insufficient funds for distribution as scholarship awards under § 6-85-201 et seq. for the 2018-2019 or 2019-2020 academic years without having to draw upon the trust account, then the trust account may be drawn upon as provided under § 23-115-802.~~

~~—The provisions of this section shall be in effect only from July 1, 2022 2023 through June 30, 2023-2024.~~

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 50

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE - STATEWIDE SCHOLARSHIP AND GRANT PROMOTION. Of the general revenue that is received by and distributed from the Higher Education Grants Fund Account, the Chief Fiscal Officer of the State shall transfer two hundred ninety-five thousand dollars (\$295,000) to the Division of Higher Education Fund Account to be allocated, budgeted, committed and distributed to the Statewide Scholarship and Grant Promotion line item in the General Operations section of this Act for the purpose of increasing public awareness of the scholarships and grants offered by the State through the Arkansas Department of Education - Division of Higher Education. The Department shall utilize a minimum of one hundred forty-seven thousand five hundred dollars (\$147,500) of the aforementioned total specifically for the promotion of the Arkansas Futures Grant Program.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: 51

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

GOVERNOR'S HIGHER EDUCATION TRANSITION SCHOLARSHIP PROGRAM.
The Department of Education - Division of Higher Education shall provide for the administration of the "Governor's Higher Education Transition Scholarship Program" as appropriated in the Student Assistance Grants and Various Scholarships Appropriation section of this Act to assist students accepted into transitional programs for students with intellectual and/or developmental disabilities at state institutions of higher education and shall promulgate rules for the implementation of the program and for the disbursement of scholarships to eligible students.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 DOE - Higher Education Division

ACT#: 215

SECTION#: NEW

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
<p>SECTION XX. SPECIAL LANGUAGE. TO AMEND EXPENDITURES RELATED TO WOMEN'S SPORT ATHLETIC PROGRAMS.</p> <p>§6-62-803(c) This section shall not apply to expenditures related to compliance with § 6-60-111 or increased compliance under 20 U.S.C. § 1092(f), <u>nor the transfer of funds necessary to support women's athletic programs.</u></p> <p>Need language to be effective upon passage and approval.</p>	<p>AGENCY REQUEST</p>

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0552 DOE - DHE - Northwest Technical Institute

ACT#: 215

SECTION#: 52

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 6, Chapter 51, Subchapter 2, is amended to add an additional section to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

6-51-218. Northwest Technical Institute - Additional Teaching Load.

(a)(1) Any Full-time staff and up to ten (10) extra help positions at Northwest Technical Institute, may be paid up to

(A) Seventy-five dollars (\$75.00) per clock hour for the fiscal year for noncredit teaching assignments; or

(B) Five hundred fifty dollars (\$550) per semester hour for the fiscal year for teaching courses beyond the defined teaching load.

(2) An amount paid under subdivision (a)(1) of this section may be in addition to an eligible institute employee's maximum allowable salary.

(b) A teaching load that makes an institute employee eligible for additional payments under subsection (a) of this section shall not exceed one hundred fifty (150) clock hours or nine (9) semester credit hours per school year.

(c) This section applies only to credit and noncredit courses that are funded by private industry.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 15

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE BLIND - TRANSFER PROVISION. Upon approval from the Chief Fiscal Officer of the State, the Arkansas School for the Blind shall transfer appropriation from the Summer Projects line item, in the State Operations Appropriation of this Act, to the Regular Salaries, Extra Help, Personal Services Matching, Overtime and Maintenance & General Operations line items in the State Operations Appropriation of this Act, to compensate staff who work during the summer months on summer projects, and to cover other expenses of summer project activities. The Summer Projects line item may also be used for the annual cost related to the compensation of eligible staff for shift differential pay as well as compensation of employees for performance of duties assigned as referenced in the Special Allowance Special Language Section of this Act. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 16

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-43-116 is amended to codify special language in appropriation acts to read as follows:

6-43-116. Special allowance.

(a) The Arkansas School for the Blind and the Arkansas School for the Deaf may make special allowances available to any employee who performs one (1) of the following duties in addition to his or her normal duties:

- (1) Teaching adult education classes, parent training, or student tutorial services on weekends or evenings;
- (2) Coaching one (1) or more sports;
- (3) Sponsoring a club or organization that involves additional hours outside the normal working day; or
- (4) Interpretive services.

(b) Compensation for additional duties may not exceed ~~three~~ five thousand dollars (~~\$3,000~~) (\$5,000) per school term for any one (1) employee during each fiscal year.

(c) Compensation provided for under this section shall not be construed as exceeding the maximum salary authorized for the employee's position.

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-43-116 is amended to codify special language in appropriation acts to read as follows:

6-43-116. Special allowance.

(a) The Arkansas School for the Blind and the Arkansas School for the Deaf may make special allowances available to any employee who performs one (1) of the following duties in addition to his or her normal duties:

- (1) Teaching adult education classes, parent training, or student tutorial services on weekends or evenings;
- (2) Coaching one (1) or more sports;
- (3) Sponsoring a club or organization that involves additional hours outside the normal working day; or
- (4) Interpretive services.

(b) Compensation for additional duties may not exceed three thousand five hundred dollars (~~\$3,000~~) (\$3,500) per school term for any one (1) employee during each fiscal year.

(c) Compensation provided for under this section shall not be construed as exceeding the maximum salary authorized for the employee's position.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 17

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-21-105 is amended to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

6-21-105. Braille and large print textbooks.

(a) It is declared to be the duty of the Arkansas School for the Blind to provide braille and large print textbooks for blind and visually impaired students attending public schools in this state.

(b) The superintendents of school districts shall make application to the Superintendent of the Arkansas School for the Blind for textbooks of braille and large print when students in school districts qualify for such books and the requested textbooks are required for other students in the district.

(c)(1) The Arkansas School for the Blind may use funds from the School for the Blind Fund Account for costs associated with providing braille and large print textbooks as authorized under this section.

(2) If funding allows and a need is present, the Arkansas School for the Blind may use funds from the School for the Blind Fund Account to purchase electronic textbooks, adaptive technology, and library media.

(d)(1) The State Board of Education shall make reasonable rules regarding moneys appropriated for the purchase of braille and large print textbooks.

(2) The state board may negotiate directly with publishers of braille and large print textbooks for the purchase of braille and large print textbooks.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 18

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE BLIND - ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or other form of compensation from the Arkansas Schools for the Deaf or Blind shall be paid an additional salary or receive additional compensation, other than reimbursement for actual expenses, from that agency, nor from any other agency or institution of higher education, except from the Superintendent's written certification to and approval by the Chief Fiscal Officer of the State that the work performed by the employee for the other position does not interfere with the proper and required performance of the employee's primary duties, and that the combined salary payments from both positions will not exceed the maximum annual salary for whichever of the two positions has the higher authorized maximum annual salary.

Any employee knowingly violating the provisions of this section shall be subject to immediate termination and shall be barred from employment by any agency or institution of the State of Arkansas for a period of not less than three (3) years or until such employee shall repay to the State of Arkansas any sums received by such employee in violation of this section, together with interest at a rate of ten percent (10%) per annum.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

Recommendation: Already in code at 6-43-113; section may be deleted

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 19

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ADE - ASB - SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the regular school term, also work during summer months shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees. Payment of additional compensation shall be limited to employees in the following classifications:

CLASS CODE	SUMMER SCHOOL POSITIONS	GRADE
E044C	Certified Bachelor's Teacher	GS06
M026C	Licensed Social Worker	GS07
M020C	Licensed Professional Counselor	GS08
E035C	Certified Masters Teacher	GS08
M088C	Licensed Master Social Worker	GS08
E024C	Teacher Supervisor	GS09
E025C	Educational Specialist	GS09
E017C	Assistant Principal	GS10
<u>E026C</u>	<u>Education & Instruction Coordinator</u>	<u>GS08</u>
<u>E015C</u>	<u>Special Education Supervisor</u>	<u>GS09</u>

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 20

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE BLIND - CERTIFIED MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution and with the approval of the Chief Fiscal Officer of the State, the salary of teachers entering state service as a teachers for the sensory impaired may be adjusted to a rate pay closest to but not less than the annual salary they would have received from their previous employer, effective upon employment at the ASD - ASB.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 21

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 6, Chapter 43, Subchapter 1, is amended to add an additional section and to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

6-43-119. Teacher salary increase.

If public schools receive funds from the General Assembly to raise the salaries of teachers employed in public school districts, the Arkansas School for the Blind and the Arkansas School for the Deaf shall be included.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE BLIND - SPECIAL RATES OF PAY. Due to the need to meet the minimum compensation schedule as established by Act 74 of the 2nd Extraordinary Session of the 84th General Assembly, or its successor, for public school teachers, counselors, and librarians and other education professionals as listed in subsection (a) below, the Arkansas School for the Blind is authorized to adjust current or new employees to at least the minimum level of compensation for public school employees.

For current or new employees in the positions listed in subsection (a) below, the Arkansas School for the Blind may implement salary adjustments to maintain equity between their teacher salaries and those of Central Arkansas Public School Systems only after a plan for determining and implementing those adjustments has been reviewed by the Office of Personnel Management and by the Personnel Committee of the Arkansas Legislative Council and approved by the Chief Fiscal Officer of the State.

For purposes of implementing the plan, the Arkansas School for the Blind is authorized special rates of pay up to the maximum of the assigned grade for classifications listed in subsection (a) below.

(a) CLASS CODE	TITLE	GRADE
E044C	Certified Bachelor's Teacher	GS06
E035C	Certified Masters Teacher	GS08
E036C	Certified Masters Degree Librarian	GS09
E032C	Education Counselor	GS07
L042C	School Speech Pathologist	MP01
E024C	Teacher Supervisor	GS09
E025C	Educational Specialist	GS09

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)			EXECUTIVE RECOMMENDATION
E017C	Assistant Principal	GS10	
E004C	School Principal	GS11	
<p>Funding for the minimum compensation provided for in this section that is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Performance Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The Arkansas School for the Blind shall, in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Performance Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law.</p> <p>The provisions of this section shall be in effect only from July 1, 2022 <u>2023</u> through June 30, 2023 <u>2024</u>.</p>			

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD OF FUNDS - ASB

AGENCY REQUEST

(a) The Chief Fiscal Officer of the State shall cause to be transferred on his or her books and those of the State Treasurer and Auditor of State the balance of General Revenue funds remaining in the School for the Blind Fund Account on June 30, ~~2022~~ 2023 into a sub-fund created within the School for the Blind Fund Account to be used for special maintenance, renovations, or future construction projects of the Department of Education - Arkansas School for the Blind.

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

(1) The Office of Budget of the Department of Finance and Administration shall report to the Legislative Council all amounts carried forward by the September meeting of the Legislative Council or the Joint Budget Committee meeting which report shall include the name of the agency, board, commission, or institution and the amount of funding carried forward, the program name or line item and the funding source; and

(2) The Department of Education - Arkansas School for the Blind shall provide a written report to the Legislative Council or Joint Budget Committee containing all information set forth in subdivision (b)(1) of this section no later than thirty (30) days prior to the time the Department presents its budget request to the Legislative Council or Joint Budget Committee, or both; and

(3) Thereupon, the Department of Finance and Administration shall include all information obtained in subdivision (b)(2) of this section in the budget manuals.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0510 DOE - School for the Blind

ACT#: 202

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2022-2023~~ through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ADE - ASD - SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the regular school term, also work during summer months shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

Payment of additional compensation shall be limited to employees in the following classifications:

CLASS CODE	SUMMER SCHOOL POSITIONS	GRADE
E044C	Certified Bachelor's Teacher	GS06
E035C	Certified Masters Teacher	GS08
L042C	School Speech Pathologist	MP01
L045C	Audiologist	MP01
E036C	Certified Master's Degree Librarian	GS09
E032C	Education Counselor	GS07
M020C	Licensed Professional Counselor	GS08
E024C	Teacher Supervisor	GS09
E025C	Educational Specialist	GS09
E017C	Assistant Principal	GS10
E004C	School Principal	GS11
<u>E026C</u>	<u>Education & Instruction Coordinator</u>	<u>GS08</u>
<u>E015C</u>	<u>Special Education Supervisor</u>	<u>GS09</u>

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE DEAF - ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or other form of compensation from the Arkansas School for the Deaf shall be paid an additional salary or receive additional compensation, other than reimbursement for actual expenses, from that agency, nor from any other agency or institution of higher education, except from the Superintendent's written certification to and approval by the Chief Fiscal Officer of the State that the work performed by the employee for the other position does not interfere with the proper and required performance of the employee's primary duties, and that the combined salary payments from both positions will not exceed the maximum annual salary for whichever of the two positions has the higher authorized maximum annual salary.

Any employee knowingly violating the provisions of this section shall be subject to immediate termination and shall be barred from employment by any agency or institution of the State of Arkansas for a period of not less than three (3) years or until such employee shall repay to the State of Arkansas any sums received by such employee in violation of this section, together with interest at a rate of ten percent (10%) per annum.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

Recommendation: Already in code at 6-43-113; section may be deleted

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE DEAF - SPECIAL ALLOWANCE. The Arkansas School for the Deaf may make special allowances available to any employee who performs one of the following duties in addition to their normal duties:

- 1) Teaching adult education classes, parent training, student tutorial services on weekends or evenings
- 2) Coaching one or more sports
- 3) Sponsoring a club or organization that involves additional hours outside of the normal working day
- 4) Interpretive Services

Compensation for additional duties may not exceed ~~\$3,500~~ \$5,000 per school term for any one employee during each fiscal year. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employee.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

Recommendation: Already partially in code at 6-43-116 and amending with another section (0510-0084-013); may be deleted

ARKANSAS SCHOOL FOR THE DEAF - SPECIAL ALLOWANCE. The Arkansas School for the Deaf may make special allowances available to any employee who performs one of the following duties in addition to their normal duties:

- 1) Teaching adult education classes, parent training, student tutorial services on weekends or evenings
- 2) Coaching one or more sports
- 3) Sponsoring a club or organization that involves additional hours outside of the normal working day
- 4) Interpretive Services

Compensation for additional duties may not exceed \$3,500 per school term for any one employee during each fiscal year. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employee.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

Recommendation: Arkansas School for the Blind is requesting to amend Arkansas Code § 6-43-116 (0513 Act 202 Sect 16. If Arkansas Code is amended this section may be deleted.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE DEAF - SHIFT DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

Recommendation: Already in code at 6-43-320; section may be deleted

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-21-105 is amended to codify special language in appropriation acts to read as follows:

6-21-105. For the Arkansas School for the Deaf, shift work must begin not earlier than ~~2:00~~ 2:30 p.m. and end no later than 8:00 a.m. the following day.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 28

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE BLIND - CERTIFIED MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution and with the approval of the Chief Fiscal Officer of the State, the salary of teachers entering state service as a teachers for the sensory impaired may be adjusted to a rate pay closest to but not less than the annual salary they would have received from their previous employer, effective upon employment at the ASD - ASB.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 29

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE DEAF - TRANSFER PROVISION. Upon approval from the Chief Fiscal Officer of the State, the Arkansas School for the Deaf shall transfer appropriation from the Miscellaneous Activities line item in the State Operations Appropriation of this Act, to the Regular Salaries, Extra Help, Personal Service Matching, Overtime, and Maintenance and General Operations line items also in the State Operations Appropriation, to compensate staff who work during the summer months on summer projects and to cover other expenses of summer project activities. The Miscellaneous Activities line item may also be used for the annual cost related to the payment of contracted interpreter services, compensation of eligible staff for shift differential pay, and compensation of employees for performance of duties assigned as referenced in the Special Allowance Special Language of this Act. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 30

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE DEAF - TEACHER SALARY INCREASE. In the event that an act is enacted in which the public schools receive funds from the General Assembly to raise the salaries of teachers employed in the public school districts, the Arkansas School for the Deaf shall be included.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

Recommendation: Combining with another section at 6-43-119 (0510-0084-018); section may be deleted

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS SCHOOL FOR THE DEAF - SPECIAL RATES OF PAY. Due to the need to meet the minimum compensation schedule as established by Act 74 of the 2nd Extraordinary Session of the 84th General Assembly, or its successor, for public school teachers, counselors, and librarians and other education professionals as listed in subsection (a) below, the Arkansas School for the Deaf is authorized to adjust current or new employees to at least the minimum level of compensation for public school employees.

For current or new employees in the positions listed in subsection (a) below, the Arkansas School for the Deaf may implement salary adjustments to maintain equity between their teacher salaries and those of Central Arkansas Public School Systems only after a plan for determining and implementing those adjustments has been reviewed by the Office of Personnel Management and by the Personnel Committee of the Arkansas Legislative Council or Joint Budget Committee and approved by the Chief Fiscal Officer of the State.

For purposes of implementing the plan, the Arkansas School for the Deaf is authorized special rates of pay up to the maximum of the assigned grade for classifications listed in subsection (a) below.

(a) CLASS CODE	TITLE	GRADE
E044C	Certified Bachelors Teacher	GS06
E035C	Certified Masters Teacher	GS08
E036C	Certified Masters Degree Librarian	GS09
E032C	Education Counselor	GS07
L042C	School Speech Pathologist	MP01
E024C	Teacher Supervisor	GS09

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

E025C	Educational Specialist	GS09
E017C	Assistant Principal	GS10
E004C	School Principal	GS11

Funding for the minimum compensation provided for in this section that is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Performance Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The Arkansas School for the Deaf shall, in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Performance Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 32

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD OF FUNDS - ASD

AGENCY REQUEST

(a) The Chief Fiscal Officer of the State shall cause to be transferred on his or her books and those of the State Treasurer and Auditor of State the balance of General Revenue funds remaining in the School for the Deaf Fund Account on June 30, ~~2022~~ 2023 into a sub-fund created within the School for the Deaf Fund Account to be used for special maintenance, renovations, or future construction projects of the Department of Education - Arkansas School for the ~~Blind~~ Deaf.

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

(1) The Office of Budget of the Department of Finance and Administration shall report to the Legislative Council all amounts carried forward by the September meeting of the Legislative Council or the Joint Budget Committee meeting which report shall include the name of the agency, board, commission, or institution and the amount of funding carried forward, the program name or line item and the funding source; and

(2) The Department of Education - Arkansas School for the Deaf shall provide a written report to the Legislative Council or Joint Budget Committee containing all information set forth in subdivision (b)(1) of this section no later than thirty (30) days prior to the time the Department presents its budget request to the Legislative Council or Joint Budget Committee, or both; and

(3) Thereupon, the Department of Finance and Administration shall include all information obtained in subdivision (b)(2) of this section in the budget manuals.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0513 DOE - School for the Deaf

ACT#: 202

SECTION#: 32

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0519 DOE - Arkansas State Library

ACT#: 119

SECTION#: 9

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. At the close of the fiscal year ending June 30, ~~2022~~ 2023, any unexpended balance of monies provided from the State Library Fund Account for Books and Subscriptions, as provided in the State Operations Appropriation of this Act, shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2023~~ 2024.

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

(1) Prior to June 30, ~~2023~~ 2024 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 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 written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0519 DOE - Arkansas State Library

ACT#: 119

SECTION#: 9

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Council/Joint Budget Committee; and

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0519 DOE - Arkansas State Library

ACT#: 119

SECTION#: 10

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER OF FUNDS - PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request from the Arkansas Department of Education - Arkansas State Library a special appropriation line item to be used in the acquisition of promotional items. When the Department of Education - Arkansas State Library wishes to transfer monies from its operating expenses to promotional items, the request shall be forwarded to the Chief Fiscal Officer of the State for processing after prior approval by the Arkansas Legislative Council or Joint Budget Committee. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law. Further, the General Assembly has determined that the Department of Education - Arkansas State Library may operate more efficiently if some flexibility is provided to the Department of Education - Arkansas State Library authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this Section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this Section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0519 DOE - Arkansas State Library

ACT#: 119

SECTION#: 10

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2022~~
~~2023~~ through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0516 Educational Television Commission, Arkansas

ACT#: 137

SECTION#: 2

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Department of Education - Educational Television Division - State Operations for the ~~2022-2023~~ 2023-2024 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: five (5) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. Many of these positions are related to specific projects, and those positions so related are specifically exempt from limitations of hours, either by act or regulation.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0516 Educational Television Commission, Arkansas

ACT#: 137

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXTRA HELP - CASH OPERATIONS. There is hereby authorized, for the Department of Education - Educational Television Division - Cash Operations for the ~~2022-2023~~ 2023-2024 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: forty-six (46) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. Many of these positions are related to specific projects, and those positions so related are specifically exempt from limitations of hours, either by act or regulation.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST