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1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1268

5 By: Representatives McCullough, F. Allen, Clowney, A. Collins, Ennett, D. Ferguson, K. Ferguson, V.
6 Flowers, D. Garner, Hudson, Magie, Nicks, Perry, J. Richardson, Scott, T. Shephard, Springer, D.
7 Whitaker
8 By: Senators G. Leding, L. Chesterfield, S. Flowers, F. Love, R. Murdock, C. Tucker
9

For An Act To Be Entitled

10 AN ACT TO MAKE AN APPROPRIATION FOR THE RAISE ACT OF
11 2023 FOR THE DEPARTMENT OF EDUCATION - DIVISION OF
12 ELEMENTARY AND SECONDARY EDUCATION FOR THE FISCAL
13 YEAR ENDING JUNE 30, 2024; TO CREATE THE RAISING
14 ARKANSAS'S INVESTMENT IN SCHOOLS AND EDUCATORS
15 (RAISE) ACT OF 2023 AND FOR OTHER PURPOSES.
16
17
18

Subtitle

19 AN ACT FOR THE DEPARTMENT OF EDUCATION -
20 DIVISION OF ELEMENTARY AND SECONDARY
21 EDUCATION - THE RAISE ACT OF 2023
22 APPROPRIATION FOR THE 2023-2024 FISCAL
23 YEAR.
24
25
26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
28

29 SECTION 1. DO NOT CODIFY. This act shall be known and may be cited as
30 the "Raising Arkansas's Investment in Schools and Educators (RAISE) Act of
31 2023".
32

33 SECTION 2. APPROPRIATION - ARKANSAS TEACHER RAISES. There is hereby
34 appropriated, to the Department of Education, to be payable from the Division
35 of Elementary and Secondary Education Public School Fund Account, for the
36 payment of raises for all teachers in the state of Arkansas as defined by



1 Arkansas Code 6-17-2402(3) of the Department of Education - Arkansas Teacher
2 Raises for the fiscal year ending June 30, 2024, the following:

| 4 ITEM | FISCAL YEAR |
|--------------------------------|----------------------|
| 5 <u>NO.</u> | <u>2023-2024</u> |
| 6 (01) ARKANSAS TEACHER RAISES | <u>\$350,000,000</u> |

7
8 SECTION 3. APPROPRIATION - EDUCATOR COMPENSATION REFORM PROGRAM. There
9 is hereby appropriated, to the Department of Education, to be payable from
10 the Division of Elementary and Secondary Education Public School Fund
11 Account, for grants and aid to provide additional funding to school districts
12 currently below the statutory minimum teacher salary schedule as defined in
13 Arkansas Code § 6-17-2403(b) and revised by this act of the Department of
14 Education - Educator Compensation Reform Program for the fiscal year ending
15 June 30, 2024, the following:

| 17 ITEM | FISCAL YEAR |
|---|---------------------|
| 18 <u>NO.</u> | <u>2023-2024</u> |
| 19 (01) EDUCATOR COMPENSATION REFORM GRANTS 20 AND AID | <u>\$30,000,000</u> |

21
22 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
24 TEACHER RAISES FUNDING. Upon the effective date of this Act, or as soon
25 thereafter as practical, the Department of Education shall provide raises to
26 all full-time equivalent teachers in the state as defined by Arkansas Code §
27 6-17-2402(3) at the amount of ten thousand dollars (\$10,000) per full-time
28 equivalent teacher working in a public school district. The Department of
29 Education may promulgate rules for the distribution of these funds and shall
30 fully budget, allocate, and expend the total amount necessary to provide the
31 full raise amount of ten thousand dollars (\$10,000) for each full-time
32 equivalent teacher as defined by Arkansas Code § 6-17-2402(3).

33
34 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR
36 COMPENSATION REFORM PROGRAM SUB-FUND. Upon the effective date of this Act,

1 or as soon thereafter as practical, the Arkansas State Treasurer shall
 2 transfer thirty million (\$30,000,000) from the Educational Adequacy Fund to
 3 the Division of Elementary and Secondary Education Public School Fund Account
 4 to be used solely for the implementation of the Educator Compensation Reform
 5 Program. Funds shall be kept separate from all other monies in the Division
 6 of Elementary and Secondary Education Public School Fund Account in the
 7 Educator Compensation Reform Program Sub-Fund and are to be utilized over a
 8 one-year period, effective on July 1, 2023 to assist school districts in
 9 ensuring that all full-time equivalent educators as defined by Arkansas Code
 10 § 6-17-2402(3) in Arkansas public school districts receive a minimum annual
 11 salary of fifty thousand dollars (\$50,000) by June 30, 2024. The Educator
 12 Compensation Reform Sub-Fund shall not be considered part of a school
 13 district's net legal balance or net legal balance revenues for the purpose of
 14 meeting the requirements on limitation of fund balances pursuant to Arkansas
 15 Code § 6-20-2210. The Arkansas Department of Education shall promulgate
 16 rules to administer this section.

17
 18 SECTION 6. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-17-
 19 2402(3), concerning the definition of "teacher" under the Teacher
 20 Compensation Program of 2003, is amended to read as follows:

21 (3) "Teacher" means:

22 (A) An individual who is required to hold a teaching license from the
 23 Division of Elementary and Secondary Education and who is engaged directly in
 24 instruction with students in a classroom setting for more than seventy
 25 percent (70%) of the individual's contracted time;

26 (B) A guidance counselor; ~~or~~

27 (C) A librarian;

28 (D) A curriculum specialist;

29 (E) An instructional facilitator; or

30 (F) Any other full-time employee of a public school district who is
 31 not in an administrator or director-level role and who is required to hold a
 32 teaching license issued by the State Board of Education as a condition of
 33 employment.

34
 35 SECTION 7. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-17-
 36 2403(b), concerning the minimum teacher compensation schedule, is amended to

1 read as follows:

2 (b) Each school district in the state shall have in place a salary
 3 schedule with at least the following minimum levels of compensation for a
 4 basic contract:

5 ~~(1) For the 2019-2020 school year:~~

| Years of Experience | BA Degree Salary | MA Degree Salary |
|--------------------------------|-----------------------------|-----------------------------|
| 6 0 | \$32,800 | \$37,450 |
| 7 1 | 33,250 | 37,950 |
| 8 2 | 33,700 | 38,450 |
| 9 3 | 34,150 | 38,950 |
| 10 4 | 34,600 | 39,450 |
| 11 5 | 35,050 | 39,950 |
| 12 6 | 35,500 | 40,450 |
| 13 7 | 35,950 | 40,950 |
| 14 8 | 36,400 | 41,450 |
| 15 9 | 36,850 | 41,950 |
| 16 10 | 37,300 | 42,450 |
| 17 11 | 37,750 | 42,950 |
| 18 12 | 38,200 | 43,450 |
| 19 13 | 38,650 | 43,950 |
| 20 14 | 39,100 | 44,450 |
| 21 15 | 39,550 | 44,950; |

22 ~~(2) For the 2020-2021 school year:~~

| Years of Experience | BA Degree Salary | MA Degree Salary |
|--------------------------------|-----------------------------|-----------------------------|
| 23 0 | \$33,800 | \$38,450 |
| 24 1 | 34,250 | 38,950 |
| 25 2 | 34,700 | 39,450 |
| 26 3 | 35,150 | 39,950 |
| 27 4 | 35,600 | 40,450 |
| 28 5 | 36,050 | 40,950 |
| 29 6 | 36,500 | 41,450 |
| 30 7 | 36,950 | 41,950 |
| 31 8 | 37,400 | 42,450 |
| 32 9 | 37,850 | 42,950 |
| 33 10 | 38,300 | 43,450 |
| 34 11 | 38,750 | 43,950 |

| | | | |
|---|---------------|--------|---------|
| 1 | 12 | 39,200 | 44,450 |
| 2 | 13 | 39,650 | 44,950 |
| 3 | 14 | 40,100 | 45,450 |
| 4 | 15 | 40,550 | 45,950; |

~~(3) For the 2021-2022 school year:~~

| Years of Experience | BA Degree Salary | MA Degree Salary | |
|--------------------------------|-----------------------------|-----------------------------|-------------|
| 7 | 0 | \$34,900 | \$39,550 |
| 8 | 1 | 35,350 | 40,050 |
| 9 | 2 | 35,800 | 40,550 |
| 10 | 3 | 36,250 | 41,050 |
| 11 | 4 | 36,700 | 41,550 |
| 12 | 5 | 37,150 | 42,050 |
| 13 | 6 | 37,600 | 42,550 |
| 14 | 7 | 38,050 | 43,050 |
| 15 | 8 | 38,500 | 43,550 |
| 16 | 9 | 38,950 | 44,050 |
| 17 | 10 | 39,400 | 44,550 |
| 18 | 11 | 39,850 | 45,050 |
| 19 | 12 | 40,300 | 45,550 |
| 20 | 13 | 40,750 | 46,050 |
| 21 | 14 | 41,200 | 46,550 |
| 22 | 15 | 41,650 | 47,050; and |

~~(4) For the 2022-2023 2023-2024 school year and each school year thereafter:~~

| Years of Experience | BA Degree Salary | MA Degree Salary | |
|--------------------------------|-----------------------------|-----------------------------|--------------------------|
| 26 | 0 | \$36,000 <u>\$50,000</u> | \$40,650 <u>\$54,650</u> |
| 27 | 1 | 36,450 <u>50,450</u> | 41,150 <u>55,150</u> |
| 28 | 2 | 36,900 <u>50,900</u> | 41,650 <u>55,650</u> |
| 29 | 3 | 37,350 <u>51,350</u> | 42,150 <u>56,150</u> |
| 30 | 4 | 37,800 <u>51,800</u> | 42,650 <u>56,650</u> |
| 31 | 5 | 38,250 <u>52,250</u> | 43,150 <u>57,150</u> |
| 32 | 6 | 38,700 <u>52,700</u> | 43,650 <u>57,650</u> |
| 33 | 7 | 39,150 <u>53,150</u> | 44,150 <u>58,150</u> |
| 34 | 8 | 39,600 <u>53,600</u> | 44,650 <u>58,650</u> |
| 35 | 9 | 40,050 <u>54,050</u> | 45,150 <u>59,150</u> |
| 36 | 10 | 40,500 <u>54,500</u> | 45,650 <u>59,650</u> |

| | | | | | |
|---|----|--------|---------------|--------|----------------|
| 1 | 11 | 40,950 | <u>54,950</u> | 46,150 | <u>60,150</u> |
| 2 | 12 | 41,400 | <u>55,400</u> | 46,650 | <u>60,650</u> |
| 3 | 13 | 41,850 | <u>55,850</u> | 47,150 | <u>61,150</u> |
| 4 | 14 | 42,300 | <u>56,300</u> | 47,650 | <u>61,650</u> |
| 5 | 15 | 42,750 | <u>56,750</u> | 48,150 | <u>62,150.</u> |

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7 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

8 authorized by this act shall be limited to the appropriation for such agency

9 and funds made available by law for the support of such appropriations; and

10 the restrictions of the State Procurement Law, the General Accounting and

11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

12 Procedures and Restrictions Act, or their successors, and other fiscal

13 control laws of this State, where applicable, and regulations promulgated by

14 the Department of Finance and Administration, as authorized by law, shall be

15 strictly complied with in disbursement of said funds.

16

17 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General

18 Assembly that any funds disbursed under the authority of the appropriations

19 contained in this act shall be in compliance with the stated reasons for

20 which this act was adopted, as evidenced by the Agency Requests, Executive

21 Recommendations and Legislative Recommendations contained in the budget

22 manuals prepared by the Department of Finance and Administration, letters, or

23 summarized oral testimony in the official minutes of the Arkansas Legislative

24 Council or Joint Budget Committee which relate to its passage and adoption.

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26 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the

27 General Assembly, that the Constitution of the State of Arkansas prohibits

28 the appropriation of funds for more than a one (1) year period; that the

29 effectiveness of this Act on July 1, 2023, is essential to the operation of

30 the agency for which the appropriations in this Act are provided, and that in

31 the event of an extension of the legislative session, the delay in the

32 effective date of this Act beyond July 1, 2023, could work irreparable harm

33 upon the proper administration and provision of essential governmental

34 programs. Therefore, an emergency is hereby declared to exist and this Act

35 being necessary for the immediate preservation of the public peace, health

36 and safety shall be in full force and effect from and after July 1, 2023.