State of Arkansas

91st General Assembly

Fiscal Session, 2018

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2019; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS APPROPRIATION FOR THE 2018-2019 FISCAL YEAR.

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

SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for grants and aid to local school districts and special programs of the Department of Education for the fiscal year ending June 30, 2019, the following:

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>$34,500,000</td>
</tr>
<tr>
<td>02</td>
<td>15,000,000</td>
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<tr>
<td>03</td>
<td>825,000</td>
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<td>04</td>
<td>26,594,317</td>
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<tr>
<td>05</td>
<td>193,113</td>
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<tr>
<td></td>
<td>Description</td>
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</tr>
<tr>
<td>1</td>
<td>ASSESSMENT/END OF LEVEL TESTING</td>
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<tr>
<td>2</td>
<td>AT RISK</td>
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<td>3</td>
<td>BETTER CHANCE PROGRAM</td>
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<tr>
<td>4</td>
<td>BONDED DEBT ASSISTANCE</td>
</tr>
<tr>
<td>5</td>
<td>COMPUTER SCIENCE INITIATIVE</td>
</tr>
<tr>
<td>6</td>
<td>CONSOLIDATION INCENTIVE</td>
</tr>
<tr>
<td>7</td>
<td>CONTENT STANDARDS</td>
</tr>
<tr>
<td>8</td>
<td>CONTENT STANDARDS CURRICULUM FRAMEWORKS</td>
</tr>
<tr>
<td>9</td>
<td>COOP EDUCATION TECH CENTERS</td>
</tr>
<tr>
<td>10</td>
<td>COORDINATED SCHOOL HEALTH</td>
</tr>
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<td>11</td>
<td>COURT ORDERED DESEGREGATION</td>
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<td>12</td>
<td>CRIMINAL BACKGROUND CHECKS</td>
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<td>13</td>
<td>DECLINING ENROLLMENT</td>
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<tr>
<td>14</td>
<td>DEPARTMENT OF CORRECTION</td>
</tr>
<tr>
<td>15</td>
<td>DISTANCE LEARNING</td>
</tr>
<tr>
<td>16</td>
<td>DISTANCE LEARNING OPERATIONS</td>
</tr>
<tr>
<td>17</td>
<td>DISTRESSED SCHOOL DISTRICT SUPPORT</td>
</tr>
<tr>
<td>18</td>
<td>EARLY CHILDHOOD SPECIAL EDUCATION</td>
</tr>
<tr>
<td>19</td>
<td>ECONOMIC EDUCATION</td>
</tr>
<tr>
<td>20</td>
<td>EDUCATION SERVICE COOPERATIVES</td>
</tr>
<tr>
<td>21</td>
<td>ENGLISH LANGUAGE LEARNERS</td>
</tr>
<tr>
<td>22</td>
<td>ENHANCED TRANSPORTATION FUNDING</td>
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<tr>
<td>23</td>
<td>GENERAL FACILITIES FUNDING</td>
</tr>
<tr>
<td>24</td>
<td>GIFTED &amp; TALENTED</td>
</tr>
<tr>
<td>25</td>
<td>GRANTS TO SCHOOL DISTRICTS</td>
</tr>
<tr>
<td>26</td>
<td>HUMAN DEVELOPMENT CENTER EDUCATION AID</td>
</tr>
<tr>
<td>27</td>
<td>INTERVENTION BLOCK GRANTS</td>
</tr>
<tr>
<td>28</td>
<td>ISOLATED FUNDING</td>
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<tr>
<td>29</td>
<td>LEADERSHIP ACADEMY-MASTER PRINCIPAL</td>
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<tr>
<td>30</td>
<td>MASTER PRINCIPAL BONUS</td>
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<tr>
<td>31</td>
<td>NATIONAL BOARD OF PROF TEACHING STANDARDS</td>
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<td>32</td>
<td>NATIONAL SCHOOL LUNCH</td>
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<tr>
<td>33</td>
<td>NON-TRADITIONAL LICENSURE</td>
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<tr>
<td>34</td>
<td>NSL MATCHING GRANT PROGRAM</td>
</tr>
<tr>
<td>35</td>
<td>OE CHARTER FAC FUNDING AID PRG</td>
</tr>
<tr>
<td>36</td>
<td>POSITIVE YOUTH DEVELOPMENT GRANTS</td>
</tr>
</tbody>
</table>
1 (42) PROFESSIONAL DEVELOPMENT FUNDING 25,143,702
2 (43) PUBLIC SCHOOL EMPLOYEE INSURANCE 57,373,600
3 (44) R.I.S.E. ARKANSAS 1,100,000
4 (45) RESIDENTIAL CENTERS/JUVENILE DETENTION 16,345,087
5 (46) SCHOOL FACILITY JOINT USE SUPPORT 500,000
6 (47) SCHOOL FOOD SERVICES 1,650,000
7 (48) SCHOOL FOOD-LEGISLATIVE AUDIT 75,000
8 (49) SCHOOL FUNDING CONTINGENCY 25,000,000
9 (50) SCHOOL RECOGNITION 7,000,000
10 (51) SCHOOL WORKER DEFENSE 390,000
11 (52) SERIOUS OFFENDER 1,716,859
12 (53) SMART START/SMART STEP 10,666,303
13 (54) SPECIAL EDUCATION SERVICES 2,802,527
14 (55) SPECIAL EDUCATION-CATASTROPHIC 13,020,000
15 (56) SPECIAL NEEDS ISOLATED FUNDING 3,000,000
16 (57) STATE FOUNDATION FUNDING 2,133,039,396
17 (58) STUDENT GROWTH 37,690,144
18 (59) SUPPLEMENTAL MILLAGE 10,000,000
19 (60) SURPLUS COMMODITIES 1,125,065
20 (61) TEACHER LICENSING/MENTORING 6,065,758
21 (62) TEACHER OF THE YEAR 100,000
22 (63) TEACHER RECRUITMENT 2,100,000
23 (64) TEACHER RETIREMENT MATCHING 10,529,852
24 (65) TECHNOLOGY GRANTS 3,602,678
25 (66) TECHNOLOGY IMPROVEMENTS 500,000
26 (67) WORKER’S COMPENSATION 450,000
27 (68) YOUTH SHELTERS 165,000
28 TOTAL AMOUNT APPROPRIATED $2,990,544,821

SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.
There is hereby established for the Department of Education - Arkansas Public School Computer Network for the 2018-2019 fiscal year, the following maximum number of regular employees.

<table>
<thead>
<tr>
<th>Maximum Annual Salary Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

01-23-2017 10:46:33 KMW030
As Engrossed:  S2/14/18 S2/20/18 S2/22/18 S2/27/18 S2/28/18

<table>
<thead>
<tr>
<th>Item</th>
<th>No. Code</th>
<th>Title</th>
<th>No. of Employees</th>
<th>Fiscal Year 2018-2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N047N</td>
<td>ADE APSCN DIRECTOR</td>
<td>1</td>
<td>GRADE GS15</td>
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<tr>
<td>2</td>
<td>D105C</td>
<td>ADE STATE NETWORK ENGINEER</td>
<td>1</td>
<td>GRADE IT09</td>
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<tr>
<td>3</td>
<td>D104C</td>
<td>ADE STATE SYSTEMS ADMINISTRATOR</td>
<td>1</td>
<td>GRADE IT08</td>
</tr>
<tr>
<td>4</td>
<td>D012C</td>
<td>DATABASE SPECIALIST</td>
<td>1</td>
<td>GRADE IT08</td>
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<tr>
<td>5</td>
<td>D007C</td>
<td>INFORMATION SYSTEMS MANAGER</td>
<td>1</td>
<td>GRADE IT08</td>
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<tr>
<td>6</td>
<td>D006C</td>
<td>SOFTWARE ENGINEER LEAD</td>
<td>1</td>
<td>GRADE IT08</td>
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<tr>
<td>7</td>
<td>D042C</td>
<td>DATA WAREHOUSE SPECIALIST</td>
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<td>9</td>
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<tr>
<td>10</td>
<td>D012C</td>
<td>DATABASE SPECIALIST</td>
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<td>GRADE IT08</td>
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<tr>
<td>11</td>
<td>D007C</td>
<td>INFORMATION SYSTEMS MANAGER</td>
<td>1</td>
<td>GRADE IT08</td>
</tr>
<tr>
<td>12</td>
<td>D006C</td>
<td>SOFTWARE ENGINEER LEAD</td>
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<td>GRADE IT08</td>
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<td>DATA WAREHOUSE SPECIALIST</td>
<td>1</td>
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<tr>
<td>14</td>
<td>D038C</td>
<td>SENIOR SOFTWARE SUPPORT ANALYST</td>
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<tr>
<td>15</td>
<td>D037C</td>
<td>ADE APSCN APPLICATIONS MANAGER</td>
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<td>16</td>
<td>D063C</td>
<td>COMPUTER SUPPORT SPECIALIST</td>
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<td>GRADE IT05</td>
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<tr>
<td>17</td>
<td>D055C</td>
<td>ADE APSCN FIELD ANALYST</td>
<td>25</td>
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<tr>
<td>18</td>
<td>D079C</td>
<td>COMPUTER SUPPORT TECHNICIAN</td>
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<td>GRADE IT02</td>
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<tr>
<td>19</td>
<td>G012C</td>
<td>ADE ASSISTANT TO DIRECTOR</td>
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<tr>
<td>20</td>
<td>G050C</td>
<td>ADE APSCN DIVISION MANAGER</td>
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<td>GRADE GS10</td>
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<td>21</td>
<td>A089C</td>
<td>ACCOUNTANT I</td>
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<tr>
<td>22</td>
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<td>STUDENT APPLICATIONS SPECIALIST</td>
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<tr>
<td>23</td>
<td>D077C</td>
<td>HELP DESK SPECIALIST</td>
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<tr>
<td>24</td>
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<td>ADMINISTRATIVE SPECIALIST III</td>
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<td>GRADE GS04</td>
</tr>
</tbody>
</table>

MAX. NO. OF EMPLOYEES  52

SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for personal services and operating expenses of the Department of Education - Arkansas Public School Computer Network for the fiscal year ending June 30, 2019, the following:

ITEM          FISCAL YEAR
NO. 2018-2019

(01) REGULAR SALARIES  $2,446,175
(02) PERSONAL SERVICES MATCHING  794,465
(03) MAINT. & GEN. OPERATION
(A) OPER. EXPENSE  19,245,839
(B) CONF. & TRAVEL  7,250
(04) DATA ACCESS IMPLEMENTATION

TOTAL AMOUNT APPROPRIATED

$22,793,729

SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There is hereby established for the Department of Education - Office of Education Renewal Zones for the 2018-2019 fiscal year, the following maximum number of regular employees.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Class Code</th>
<th>Title</th>
<th>Maximum No. of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>E020C</td>
<td>ADE OERZ TECHNICAL ASSIST SPECIALIST</td>
<td>3</td>
</tr>
<tr>
<td>(2)</td>
<td>C056C</td>
<td>ADMINISTRATIVE SPECIALIST III</td>
<td>1</td>
</tr>
</tbody>
</table>

MAX. NO. OF EMPLOYEES

SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for personal services, operating expenses and grants by the Department of Education - Office of Education Renewal Zones for the fiscal year ending June 30, 2019, the following:

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>(01)</td>
<td>$154,077</td>
</tr>
<tr>
<td>(02)</td>
<td>54,010</td>
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<td>(03)</td>
<td>91,800</td>
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<td>(A)</td>
<td>13,000</td>
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<tr>
<td>(B)</td>
<td>0</td>
</tr>
<tr>
<td>(C)</td>
<td>0</td>
</tr>
<tr>
<td>(D)</td>
<td>0</td>
</tr>
<tr>
<td>(E)</td>
<td>0</td>
</tr>
</tbody>
</table>

01-23-2017 10:46:33 KMW030
(04) EDUCATIONAL RENEWAL ZONE GRANTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
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<td>1,024,350</td>
</tr>
<tr>
<td>2</td>
<td>TOTAL AMOUNT APPROPRIATED</td>
</tr>
</tbody>
</table>

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.

ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for R.I.S.E. Arkansas remaining on June 30, 2018 2019, in the Department of 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, 2018 2019 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 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, 2017 2018 through June 30, 2018 2019.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2017 through June 30, 2019.

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2017
through June 30, 2018 2019.

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2017
through June 30, 2018 2019.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
fiscal year thereafter, the Department of Education shall from time to time
as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
State, the amount of funds disbursed or approved to be disbursed by the
Department of Education for desegregation expenses under any "Desegregation
Settlement Agreement". Upon the receipt of such certification, the State
Treasurer, after making those deductions as set out in Arkansas Code 19-5-
202(b)(2)(B), shall also deduct from the net general revenues the amount
certified and transfer this amount to the Department of Education Public
School Fund Account there to be used exclusively for payment of or
reimbursement for expenses incurred from the Department of Education Public
School Fund Account under any "Desegregation Settlement Agreement".

The provisions of this section shall be in effect only from July 1, 2017
SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation Incentive shall be allocated in accordance with rules and regulations established by the State Board of Education. The provisions of this section shall be in effect only from July 1, 2017 through June 30, 2018.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for Residential Centers/Juvenile Detention shall be allocated in accordance with rules and regulations established by the State Board of Education. The provisions of this section shall be in effect only from July 1, 2017 through June 30, 2018.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2017
through June 30, 2018 2019.

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2017
through June 30, 2018 2019.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
"Distressed School District Support" in the Grants and Aid to Local School
Districts and Special Programs section of this Act may be used for technical
assistance offered by the Department of Education to school districts in
academic distress that can include, but is not limited to, teacher
specialists, principal specialists, and other personnel assigned by the
department. These funds may also be used for alternative research-based
technical assistance or programs. Criteria for selecting and approving
alternative research-based technical assistance or programs are to be
promulgated as a rule by the State Board of Education, provided that
alternative staffing and/or compensation programs for teachers shall be
approved by at least a majority of the teachers in the school, schools, or
school district participating in the program.
The provisions of this section shall be in effect only from July 1, 2017 through June 30, 2018.

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

RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School Districts shall pay the teacher retirement employer contribution rate for any eligible employee in accordance with rules and regulations established by the Teacher Retirement Board of Directors. The appropriation contained herein for Teacher Retirement Matching each fiscal year shall be used to provide the employer matching for employees of the Cooperative Education Services Areas, Vocational Centers, Arkansas Easter Seals and the school operated by the Department of Correction.

The provisions of this section shall be in effect only from July 1, 2018 through June 30, 2019.

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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 Child Care and Early Childhood 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.

The provisions of this section shall be in effect only from July 1, 2017

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2017

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated
for the Arkansas Better Chance for School Success Program remaining on June
30, 2018 2019, in the Department of 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, 2018 2019 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

(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, 2017 through June 30, 2019.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the Department of Finance and Administration may use up to eleven dollars and twenty cents ($11.20) from each contribution made under Arkansas Code §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.

The provisions of this section shall be in effect only from July 1, 2017 through June 30, 2019.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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 Department of 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, 2017
through June 30, 2018 2019.

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
INSURANCE. The appropriation contained herein for Public School Employee
Insurance each fiscal year shall be used to provide the state contribution
for insurance premiums for employees of the Cooperative Education Services
Areas, Vocational Centers, and the school operated by the Department of
Correction who participate in the Arkansas Public School Life and Health
Insurance Program.

The provisions of this section shall be in effect only from July 1, 2017
through June 30, 2018 2019.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
funding for Alternative Learning Environment Programs in excess of the
regulatory limitation of six (6) hours per day for those programs that
operate more than twelve hours per day, in a proportionate manner and upon
special request to the Department of Education.

The provisions of this section shall be in effect only from July 1, 2017
through June 30, 2018 2019.

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2017
through June 30, 2018 2019.
SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.
Effective for the plan year beginning January 1, 2017-2018, if ninety-eight
percent (98%) of the uniform rate of tax used in the calculation of State
Foundation Funding Aid for fiscal year 2017-2018 2018-2019 exceeds nine
hundred twenty million seven hundred thirty-one thousand eight hundred
nineteen dollars ($920,731,819), the Department of Education shall pay up to
fifteen million dollars ($15,000,000) of the total increase over the nine
hundred twenty million seven hundred thirty-one thousand eight hundred
nineteen dollars ($920,731,819) to the Employee Benefits Division of the
Department of Finance and Administration in additional health insurance
contributions for eligible employees electing to participate in the public
school employees' health insurance program administered by the State and
Public School Life and Health Insurance Board.

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

The provisions of this section shall be in effect only from July 1, 2017
through June 30, 2018 2019.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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
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, 2017
through June 30, 2018 2019.
SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2017

SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
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 Department of 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, 2017 through June 30, 2018.

SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL SCHOOL DISTRICT ISOLATED - BASE FUNDING UNDER CERTAIN CIRCUMSTANCES.

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

(1) Either:
   (A) Sections 6-20-604(b) and (c); or
   (B) Sections 6-20-604(b) and (d); and

(2) Section 6-20-601.

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

(1) Sections 6-20-604(e) and (h); or
(2) Section 6-20-604(f).

The provisions of this section shall be in effect only from July 1, 2018 through June 30, 2019.

SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL SCHOOL DISTRICT ISOLATED.
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

PROFESSIONAL DEVELOPMENT.

(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, 2017 through June 30, 2019.

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NSL MATCHING GRANT PROGRAM.

(a)(1) Of the appropriation and funding for the NSL MATCHING GRANT PROGRAM Item in the Grants and Aid to Local School Districts and Special Programs section of this Act, four million three hundred thousand dollars ($4,300,000) 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 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, 2017 through June 30, 2019.

SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2017 through June 30, 2019.

SECTION 33. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code § 6-17-812 is amended to read as follows:
6-17-812. Compensation for teaching more than the maximum number of students permitted.

(a)(1) If a teacher in grades five through twelve (5-12) volunteers agrees to teach more than the maximum number of students permitted per day under the Standards for Accreditation of Arkansas Public Schools and School Districts or subdivision (a)(4)(A) of this section, then the teacher’s pay under his or her contract shall be increased by an amount proportionate to the teacher’s base pay and the additional number of students taught by the teacher.

(2) Subdivision (a)(1) of this section permits a teacher to volunteer agree to teach more than the maximum number of students permitted per day under the Standards for Accreditation of Arkansas Public Schools and School Districts or subdivision (a)(4)(A) of this section but does not permit a teacher to exceed the maximum class size permitted under the Standards for Accreditation of Arkansas Public Schools and School Districts.

(3) A teacher in grades five through twelve (5-12) may volunteer agree to use his or her conference period during the day to teach an additional class period or to teach more than the maximum number of students per day and shall be compensated at a prorated portion of his or her contract for both the extra class period and for every additional student he or she teaches over the maximum number of students permitted per day under the Standards for Accreditation of Arkansas Public Schools and School Districts or subdivision (a)(4)(A) of this section.

(4)(A) Except when a teacher teaches a course that lends itself to large group instruction, as defined by the Department of Education, the maximum number of students a teacher in grades five through twelve (5-12) is permitted to teach without receiving additional compensation under this section shall not exceed one hundred fifty (150) students per day.

(B) The Department of Education department shall include in the Standards for Accreditation of Arkansas Public Schools and School Districts the maximum number of students to be taught per day and the exception under subdivision (a)(4)(A) of this section.

(b)(1) A teacher is not required to teach more than the maximum number of students permitted per day under the Standards for Accreditation of Arkansas Public Schools and School Districts, but a teacher may voluntarily agree to teach more than the maximum number of students permitted per day.
(2) A teacher who volunteers under subsection (a) of this section shall sign an agreement with the school district for the additional compensation that is applicable to the semester in which the teacher volunteers agrees to teach more than the maximum number of students permitted per day under the Standards for Accreditation of Arkansas Public Schools and School Districts.

(3)(A) Neither the school district nor the teacher is obligated to enter into or renew an agreement or continue an agreement past the semester in which the agreement is signed.

(B) An agreement between the teacher and the school district shall be signed before any additional compensation is provided.

(C) The provisions of The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq., do not apply to an agreement entered into between a teacher and a school district under this section.

(4) A public school or school district that enters into, renews, or continues an agreement with a teacher under this section is not in violation of the Standards for Accreditation of Arkansas Public Schools and School Districts because the teacher teaches more than the maximum number of students per day.

(c) This section does not apply to a public school that operates primarily as a virtual school.

(d) A school district shall adopt a policy to implement this section.

(e)(1) The department shall promulgate rules to implement this section.

(2) The rules promulgated by the department shall include without limitation the manner in which students in grades five (5) and six (6) are to be counted for the purposes of this section.

SECTION 34. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be
strictly complied with in disbursement of said funds.

SECTION 35. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 36. EFFECTIVE DATE. This act is effective on and after July 1, 2018.

/s/Joint Budget Committee

APPROVED: 3/9/18