

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: H4/3/01 H4/6/01 H4/10/01*

# A Bill

Act 1667 of 2001  
HOUSE BILL 1553

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AIDS TO  
10 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE  
11 DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 2003; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION  
16 - GRANTS AND AIDS APPROPRIATION FOR  
17 THE 2001-2003 BIENNIAL PERIOD.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department  
24 of Education, to be payable from the Department of Education Public School  
25 Fund Account, for grants and aids to local school districts and special  
26 programs of the Department of Education for the biennial period ending June  
27 30, 2003, the following:  
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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) ALTERNATIVE LEARNING	\$ 3,000,000	\$ 3,000,000
(02) GENERAL FACILITIES FUNDING	10,000,000	10,000,000
(03) ISOLATED FUNDING	7,275,000	7,750,000
(04) STUDENT GROWTH	20,196,875	20,196,875
(05) ADDITIONAL BASE FUNDING	27,300,000	26,700,000
(06) DEBT SERVICE FUNDING SUPPLEMENT	29,500,000	29,500,000

1	(07)	DEPT OF CORRECTION SCHOOL DISTRICT	3,660,502	3,826,502
2	(08)	RESIDENTIAL CENTERS/JUVENILE DETENTION	9,467,108	9,737,108
3	(09)	REVENUE LOSS FUNDING	4,000,000	4,000,000
4	(10)	LIMITED ENGLISH PROFICIENCY	4,639,000	5,078,000
5	(11)	AT RISK	2,327,500	2,327,500
6	(12)	SPECIAL EDUCATION - CATASTROPHIC		
7		OCCURENCES	1,000,000	1,000,000
8	(13)	CONSOLIDATION INCENTIVE	2	2
9	(14)	INCENTIVE FUNDING	27,900,000	27,900,000
10	(15)	STATE EQUALIZATION FUNDING	1,532,875,000	1,628,312,080
11	(16)	PYGMALION COMMISSION	25,000	25,000
12	(17)	COOPERATIVE EDUCATION TECHNOLOGY		
13		CENTERS OPERATIONS	750,000	750,000
14	(18)	TEACHER RETIREMENT MATCHING	2,600,000	2,600,000
15	(19)	NATIONAL BOARD OF PROFESSIONAL		
16		TEACHING STANDARDS	500,000	500,000
17	(20)	ADVANCED PLACEMENT INCENTIVE	575,000	575,000
18	(21)	TRANSPORTATION AID/SAFETY TRAINING	8,100,000	8,100,000
19	(22)	CRIMINAL BACKGROUND CHECKS	300,000	325,000
20	(23)	ARKANSAS EASTER SEALS	193,113	193,113
21	(24)	PUBLIC SCHOOL EMPLOYEE INSURANCE	1,000,000	1,025,000
22	(25)	SCHOOL FOOD SERVICE	1,650,000	1,650,000
23	(26)	ECONOMIC EDUCATION	300,000	300,000
24	(27)	SURPLUS COMMODITIES	603,000	630,000
25	(28)	GRANTS TO SCHOOL DISTRICTS	47,000	47,000
26	(29)	WORKER'S COMPENSATION	650,000	550,000
27	(30)	SCHOOL FOOD SERVICE - LEGISLATIVE		
28		AUDIT COSTS	100,000	100,000
29	(31)	GIFTED & TALENTED	1,942,896	1,942,896
30	(32)	SCHOOL WORKER DEFENSE	590,000	590,000
31	(33)	BETTER CHANCE-GRANTS	9,900,000	9,900,000
32	(34)	SPECIAL EDUCATION SERVICES	4,420,285	4,420,285
33	(35)	HUMAN DEVELOPMENT CENTER EDUCATION		
34		AID	663,000	663,000
35	(36)	EARLY CHILDHOOD SPECIAL EDUCATION	6,298,454	6,514,954
36	(37)	WORKERS' COMPENSATION PURCHASE	6,600,000	6,600,000

1	(38)	YOUTH SHELTERS	402,500	402,500
2	(39)	TECHNOLOGY IMPROVEMENTS	2,000,000	2,000,000
3	(40)	TECHNOLOGY GRANTS	4,890,385	6,597,615
4	(41)	HOME SCHOOL TESTING	50,000	50,000
5	(42)	SMART START/SMART STEP ASSESSMENT	9,452,815	9,452,815
6	(43)	SMART START/SMART STEP PROMOTIONAL	100,000	100,000
7	(44)	ASSESSMENT/END OF LEVEL TESTING	6,011,677	6,304,177
8	(45)	EDUCATION SERVICE COOPERATIVES	4,929,270	4,929,270
9	(46)	ACADEMIC DISTRESS	160,000	160,000
10	(47)	POVERTY INDEX	8,500,000	8,500,000
11	(48)	DISTANCE LEARNING	1,500,000	1,500,000
12	(49)	TEACHER LICENSURE	6,740,000	6,740,000
13	(50)	OPEN ENROLLMENT CHARTER SCHOOLS	2	2
14	(51)	INTERVENTION BLOCK GRANTS	2,539,080	2,539,080
15	(52)	SERIOUS OFFENDER PROGRAM	907,000	936,000
16	(53)	ALTERNATIVE COMPREHENSIVE		
17		STAFFING AND COMPENSATION		
18		PROGRAM	500,000	500,000
19	(54)	HISTORY DAY COMPETITION	25,000	25,000
20	(55)	EXPLOR-NET ARKANSAS	<u>289,615</u>	<u>410,385</u>
21		TOTAL AMOUNT APPROPRIATED	<u>\$ 1,779,946,079</u>	<u>\$ 1,878,476,159</u>

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SECTION 2. REGULAR SALARIES - APSCN. There is hereby established for the Department of Education - Arkansas Public School Computer Network for the 2001-2003 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Maximum Annual

1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2001-2002	2002-2003
4	(1)	827Z	DP CENTER MANAGER	1	GRADE 26	
5	(2)	027Z	ED ASSOC DIRECTOR APSCN	1	GRADE 26	
6	(3)	D064	SR SYSTEMS PROGRAMMER	1	GRADE 24	
7	(4)	903Z	TECHNICAL ASSISTANCE MANAGER	2	GRADE 24	
8	(5)	028Z	ED APSCN COOR/INTERNAL OPS	1	GRADE 23	
9	(6)	D124	LEAD PROGRAMMER/ANALYST	2	GRADE 22	
10	(7)	D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE 21	
11	(8)	R290	PUBLIC SCHOOL PROGRAM ADVISOR	20	GRADE 21	
12	(9)	E114	STAFF DEVELOPMENT COORDINATOR	4	GRADE 20	
13	(10)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
14	(11)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
15	(12)	E072	TRAINING INSTRUCTOR	4	GRADE 18	
16	(13)	A111	ACCOUNTANT	1	GRADE 18	
17	(14)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
18	(15)	K155	SECRETARY I	1	GRADE 11	
19			MAX. NO. OF EMPLOYEES	43		

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21 SECTION 3. APPROPRIATION - APSCN. There is hereby appropriated, to the  
 22 Department of Education, to be payable from the Department of Education Public  
 23 School Fund Account, for personal services and operating expenses of the  
 24 Department of Education - Arkansas Public School Computer Network for the  
 25 biennial period ending June 30, 2003, the following:

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27	ITEM		FISCAL YEARS	
28	NO.		2001-2002	2002-2003
29	(01)	REGULAR SALARIES	\$ 1,676,103	\$ 1,719,683
30	(02)	PERSONAL SVCS MATCHING	457,808	466,403
31	(03)	OPERATING EXPENSES	2,480,650	2,480,650
32	(04)	TRAVEL	39,400	39,400
33	(05)	PROFESSIONAL FEES	5,000	5,000
34	(06)	CAPITAL OUTLAY	50,000	50,000
35	(07)	DATA PROCESSING	4,701,424	4,701,424
36		TOTAL AMOUNT APPROPRIATED	\$ 9,410,385	\$ 9,462,560

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2 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
3 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO  
4 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School  
5 Districts appropriation in Section 1 of this Act, "school district" means a  
6 school district which contracts with a school district in an adjoining state  
7 for the education of some of the pupils within the Arkansas school district  
8 because the portion of the school district wherein such pupils live is  
9 completely separated from the remainder of the school district by a reservoir  
10 covering at least 12,000 acres at normal water level, and where to attend  
11 school in their own district, the pupils of said portion would be required to  
12 travel or to be transported a distance (measured by the nearest highway or  
13 road route) of more than 35 miles round trip and pass through another school  
14 district or districts. The Department of Education shall distribute the  
15 monies appropriated for Grants to School Districts in Section 1 of this Act to  
16 such school districts as reimbursement for expenses incurred in educating the  
17 pupils residing in the separated portion of the school district. Such school  
18 districts shall file a request for reimbursement with the Department of  
19 Education and provide the Department of Education with such documentation as  
20 is deemed necessary.

21

22 The provisions of this section shall be in effect only from July 1, 2001  
23 through June 30, 2003.

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25 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
26 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
27 EDUCATION SERVICES. The funds appropriated in the line item "Special  
28 Education Services" in Section 1 of this Act shall be used to provide extended  
29 year summer programs for handicapped students in need of such services, to  
30 provide special education services to foster children who are wards of the  
31 State, and to provide funds for the payment of salaries of special education  
32 supervisors. The Department of Education shall distribute such funds in the  
33 manner necessary to carry out the intent of this Section.

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35 The provisions of this section shall be in effect only from July 1, 2001  
36 through June 30, 2003.

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2 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
3 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RETIREMENT  
4 MATCHING. Beginning with the 1996-97 school year, Local School Districts  
5 shall pay the teacher retirement employer contribution rate for any eligible  
6 employee in accordance with rules and regulations established by the Teacher  
7 Retirement Board of Directors. The appropriation contained herein for Teacher  
8 Retirement Matching each fiscal year shall be used to provide the employer  
9 matching for employees of the Cooperative Education Services Areas, Vocational  
10 Centers, Model Vocational - Technical Education Resource Center, Arkansas  
11 Easter Seals and the school operated by the Department of Correction.

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13 The provisions of this section shall be in effect only from July 1, 2001  
14 through June 30, 2003.

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16 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
17 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH  
18 INSURANCE. Beginning with the 1996-97 school year, Local School Districts  
19 shall pay no less than the health insurance contribution rate established by  
20 the State Board of Education for each eligible employee electing to  
21 participate in the Public School Employee Health Insurance Program. ~~The~~  
22 ~~Arkansas General Assembly recognizes that the Arkansas State Board of~~  
23 ~~Education has approved and the Arkansas Department of Education has~~  
24 ~~distributed \$12.4 M in additional state equalization aid in December of 1998,~~  
25 ~~and that the Board as well as the Department have recommended that these funds~~  
26 ~~be used by local school districts to increase the employer health insurance~~  
27 ~~contribution for employees participating in the Arkansas Public School Life~~  
28 ~~and Health Insurance Program. Furthermore, the Arkansas General Assembly~~  
29 ~~recognizes that Arkansas public school employees pay a significantly higher~~  
30 ~~portion of health insurance premiums than most public and private sector~~  
31 ~~employees in this state and nation despite the fact that they are among the~~  
32 ~~lowest paid. Therefore, the Arkansas General Assembly encourages local school~~  
33 ~~districts which pay the minimum health insurance contribution of \$114 per~~  
34 ~~month to raise the employer contribution to a reasonable level consistent with~~  
35 ~~the funding increase received by each district in December of 1998. The~~  
36 appropriation contained herein for Public School Employee Insurance each

1 fiscal year shall be used to provide the state contribution for insurance  
2 premiums for employees of the Cooperative Education Services Areas, Vocational  
3 Centers, Model Vocational - Technical Education Resource Center and the school  
4 operated by the Department of Correction who participate in the Arkansas  
5 Public School Life and Health Insurance Program.

6

7 The provisions of this section shall be in effect only from July 1, 2001  
8 through June 30, 2003.

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10 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
11 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI COUNTY  
12 DESEGREGATION. (A) For the fiscal year ending June 30, ~~2000~~ 2002, the  
13 Department of Education shall from time to time as needed, certify to the  
14 State Treasurer and the Chief Fiscal Office of the State, the amount of funds  
15 disbursed for desegregation expenses under the "Pulaski County School  
16 Desegregation Settlement Agreement." Upon the receipt of such certification,  
17 the State Treasurer, after making those deductions as set out in Arkansas Code  
18 19-5-202(b)(2)(B), shall also deduct up to, but not to exceed in total for  
19 fiscal year ~~1999-2000~~ 2001-2002 the sum of ~~\$31,000,000~~ \$32,800,000 from the  
20 net general revenues and transfer this amount to the Department of Education  
21 Public School Fund Account.

22 (B) For the fiscal year ending June 30, ~~2001~~ 2003, the Department of Education  
23 shall from time to time as needed, certify to the State Treasurer and the  
24 Chief Fiscal Office of the State, the amount of funds disbursed for  
25 desegregation expenses under the "Pulaski County School Desegregation  
26 Settlement Agreement." Upon the receipt of such certification, the State  
27 Treasurer, after making those deductions as set out in Arkansas Code 19-5-  
28 202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal  
29 year ~~2000-2001~~ 2002-2003 the sum of \$32,800,000 from the net general revenues  
30 and transfer this amount to the Department of Education Public School Fund  
31 Account.

32

33 The provisions of this section shall be in effect only from July 1, 2001  
34 through June 30, 2003.

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36 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE

1 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONSOLIDATION  
2 INCENTIVE. The appropriation contained herein for Consolidation Incentive  
3 shall be allocated in accordance with rules and regulations established by the  
4 State Board of Education.

5

6 The provisions of this section shall be in effect only from July 1, 2001  
7 through June 30, 2003.

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9 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
11 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for  
12 Residential Centers/Juvenile Detention shall be allocated in accordance with  
13 rules and regulations established by the State Board of Education.

14

15 The provisions of this section shall be in effect only from July 1, 2001  
16 through June 30, 2003.

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18 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
20 AUTHORITY. The Director of the Department of Education, with the approval of  
21 the Chief Fiscal Officer and after approval by the Arkansas Legislative  
22 Council or Joint Budget Committee, is hereby authorized to request necessary  
23 appropriation transfers and any other budget related adjustments necessary.  
24 Determining the maximum number of employees and the maximum amount of  
25 appropriation and general revenue funding for a state agency each fiscal year  
26 is the prerogative of the General Assembly. This is usually accomplished by  
27 delineating such maximums in the appropriation act(s) for a state agency and  
28 the general revenue allocations authorized for each fund and fund account by  
29 amendment to the Revenue Stabilization Law. Further, the General Assembly has  
30 determined that the Department of Education may operate more efficiently if  
31 some flexibility is provided to the Director of the Department of Education  
32 authorizing broad powers under the Transfer Authority provision herein.  
33 Therefore, it is both necessary and appropriate that the General Assembly  
34 maintain oversight by requiring prior approval of the Legislative Council or  
35 Joint Budget Committee as provided by this section. The requirement of  
36 approval by the Legislative Council or Joint Budget Committee is not a

1 severable part of this section. If the requirement of approval by the  
 2 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
 3 court jurisdiction, this entire section is void.

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 5 The provisions of this section shall be in effect only from July 1, 2001  
 6 through June 30, 2003.

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 8 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORKERS'  
 10 COMPENSATION PURCHASE. The appropriation and funds authorized herein for  
 11 Purchase of Workers' Compensation Coverage by School Districts and Education  
 12 Service Cooperatives shall be distributed proportionally by the Department of  
 13 Education to each of the various school districts based on each school  
 14 district's average daily membership (ADM) the previous year and to each of the  
 15 state's education service cooperatives in an amount equal to 50% of the amount  
 16 each cooperative expended for that purpose the previous year.

17  
 18 The provisions of this section shall be in effect only from July 1, 2001  
 19 through June 30, 2003.

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 21 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
 23 EQUALIZATION FUNDING. Of the total amount appropriated each fiscal year of the  
 24 ~~1999-2001~~ 2001-2003 biennium for State Equalization Funding, the Department  
 25 *of Education shall allocate funding for and distribute to local school*  
 26 *districts and amount not less than \$1,390,000,000 \$1,482,875,000* during the  
 27 ~~1999-2000~~ 2001-02 fiscal year and an amount not less than ~~\$1,460,000,000~~  
 28 \$1,578,312,080 during the ~~2000-01~~ 2002-03 fiscal year for State Equalization  
 29 Funding. If the Chief Fiscal Officer of the State reduces the revenue forecast  
 30 for the Department of Education Public School Fund Account below  
 31 ~~\$1,472,288,000~~ \$1,585,921,514 during the ~~1999-00~~ 2001-02 fiscal year or below  
 32 ~~\$1,539,476,000~~ \$1,681,500,070 for the ~~2000-01~~ 2002-03 fiscal year the State  
 33 Board of ~~education~~ *Education may reduce State Equalization Funding to local*  
 34 *school districts prescribed in this Section by eighty five percent (85%) of*  
 35 *the difference. If the Chief Fiscal Officer increases the revenue forecast*  
 36 *above \$1,472,288,000 \$1,585,921,514* during the ~~1999-00~~ 2001-02 fiscal year or

1 above ~~\$1,539,476,000~~ \$1,681,500,070 for the ~~2000-01~~ 2002-03 fiscal year the  
2 State Board of Education ~~shall~~ may increase State *Equalization Funding to*  
3 *local school districts* by eighty five percent (85%) of the increase.

4  
5 The provisions of this section shall be in effect only from July 1, 2001  
6 through June 30, 2003.

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

18  
19 The provisions of this section shall be in effect only from July 1, 2001  
20 through June 30, 2003.

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22 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AMENDMENT  
24 74 RULES AND REGULATIONS. Due to pending public school finance litigation,  
25 before any rules and regulations pursuant to the implementation of Amendment  
26 74 to the Arkansas Constitution are reviewed by the Administrative Rules and  
27 Regulations Committee of the Arkansas Legislative Council and adopted by the  
28 Department of Education, such proposed rules and regulations shall be reviewed  
29 by the Litigation Reports Oversight Committee of the Arkansas Legislative  
30 Council.

31  
32 The provisions of this section shall be in effect only from July 1, 2001  
33 through June 30, 2003.

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

1 ASSESSMENT/END OF LEVEL TESTING. Of the total amount appropriated for  
2 Assessment/End-of-Level Testing for each fiscal year of the ~~1999-2001~~ 2001-  
3 2003 biennium, up to \$500,000 may be authorized by the Director of the  
4 Department of Education, ~~General Division,~~ to be used to provide staff  
5 development training for educational cooperatives, school districts, and for  
6 Department of Education staff on such content areas as test interpretation,  
7 goal setting, educational plan development, curriculum development,  
8 instructional strategies, classroom management and for evaluation procedures.  
9

10 The provisions of this section shall be in effect only from July 1, 2001  
11 through June 30, 2003.  
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13 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN  
15 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds  
16 authorized herein to the Department of Education - ~~General Education Division~~  
17 for the Quiz Bowl each fiscal year, an amount not to exceed 40% each fiscal  
18 year may be made available to the Department of Education - Educational  
19 Television Division for its documented costs associated with the Quiz Bowl.  
20

21 The provisions of this section shall be in effect only from July 1, 2001  
22 through June 30, 2003.  
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24 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN  
26 ENROLLMENT CHARTER SCHOOL EVALUATION. The Department of Education is hereby  
27 authorized to utilize a portion of the appropriation and funds authorized  
28 herein for Open Enrollment Charter Schools for costs associated with the  
29 evaluation of Open Enrollment Charter Schools.  
30

31 The provisions of this section shall be in effect only from July 1, 2001  
32 through June 30, 2003.  
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34 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
36 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education

1 shall not expend any of the appropriation authorized herein for Intervention  
2 Block Grants until one hundred thousand dollars (\$100,000) from the  
3 Intervention Block Grants line item is made available each fiscal year for the  
4 annual expenses of the Quiz Bowl; and twenty seven thousand dollars (\$27,000)  
5 from the Intervention Block Grants line item each fiscal year is made  
6 available for the Odyssey of the Mind for grants up to \$1,000 each for  
7 students and chaperones.

8 The provisions of this section shall be in effect only from July 1, 2001  
9 through June 30, 2003.

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11 *SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
12 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR*  
13 *COMPENSATION ACT OF 2001. If the provisions of Section 13 of this Act are*  
14 *implemented and the amount of State Equalization Funding distributed to school*  
15 *districts is reduced, then there shall be a concomitant reduction in the*  
16 *required salary increase specified in the "Educator Compensation Act of 2001"*  
17 *which shall be calculated as follows:*

18 *For the 2001-2002 fiscal year, the reduction of the required salary*  
19 *increase shall equal the ratio of the amount of the decrease authorized in*  
20 *Section 13 of this Act divided by \$39,875,000 which shall be then multiplied*  
21 *times the required salary increase as defined in the "Educator Compensation*  
22 *Act of 2001". The Department of Education shall inform school districts of*  
23 *the new required salary increase as soon as the Department of Education has*  
24 *determined to reduce State Equalization Funding under the provisions of*  
25 *Section 13 of this Act.*

26 *For the 2002-2003 fiscal year, the reduction of the required salary*  
27 *increase shall equal the ratio of the amount of the decrease authorized in*  
28 *Section 13 of this Act divided by \$95,437,080 which shall then be multiplied*  
29 *times the required salary increase as defined in the "Educator Compensation*  
30 *Act of 2001". The Department of Education shall inform school districts of*  
31 *the new required salary increase as soon as the Department of Education has*  
32 *determined to reduce State Equalization Funding under the provisions of*  
33 *Section 13 of this Act.*

34  
35 *The provisions of this section shall be in effect only from July 1, 2001*  
36 *through June 30, 2003.*

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3 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
4 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ALTERNATIVE  
5 COMPREHENSIVE STAFFING AND COMPENSATION PROGRAM MATCH REQUIREMENT. In no  
6 event shall any of the appropriations authorized in Section 1 of this act for  
7 the Alternative Comprehensive Staffing and Compensation Program be expended  
8 unless the moneys are being utilized as matching funds for any federal funds  
9 or private contributions that are received by the Department of Education or  
10 school districts for that purpose.

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12 SECTION 22. SPECIAL LANGUAGE. EAST FUNDING PROVISION. Of the total amount  
13 appropriated for Technology Grants each fiscal year, an amount of not less  
14 than one million dollars (\$1,000,000) or eighteen percent (18%), whichever is  
15 greater each fiscal year, shall be awarded through a grant or professional  
16 services contract for EAST infrastructure personal services and operating  
17 expenses. The EAST infrastructure grant or contract for personal services and  
18 operating expenses shall be awarded to an entity that has personnel or  
19 experience, or both, in implementing the EAST Initiative.

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21 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.  
23 PRIORITIZATION OF FUNDING. The State Board of Education shall give first  
24 priority to allocating funding for those line-items contained in Section 1 of  
25 this Act that further the State's goal of maintaining equitable funding of  
26 students in the public schools of this State. Those line-items that further  
27 this goal shall be those line-items that contribute to the State meeting the  
28 Federal Range Ratio as it is described in 34 C.F.R. §§ 222.61, et seq. (1994).

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30 SECTION 24. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
31 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
32 appropriations as provided in this Act, the agency disbursing officer shall  
33 monitor the level of fund balances in relation to expenditures on a monthly  
34 basis. If any proposed expenditures would cause a fund balance to decline to  
35 less than fifty percent (50%) of the balance available on July 1, 2001, the  
36 disbursing officer shall immediately notify the executive head of the agency.

1 Prior to any obligations being made under these circumstances, the agency  
2 head shall file written documentation with the Chief Fiscal Officer of the  
3 State requesting approval of the expenditures. Such documentation shall  
4 provide sufficient financial data to justify the expenditures and shall  
5 include the following:

6 1) a plan that clearly indicates the specific fiscal impact of such  
7 expenditures on the fund balance.

8 2) information clearly indicating and explaining what programs would be cut or  
9 any other measures to be taken by the agency to restore the fund balance.

10 3) the extent to which any of the planned expenditures are for one-time costs  
11 or one-time purchase of capitalized items.

12 4) a statement certifying that the expenditure of fund balances will not  
13 jeopardize the financial health of the agency, nor result in a permanent  
14 depletion of the fund balance.

15 (B) The Chief Fiscal Officer of the State shall review the request and  
16 approve or disapprove all or any part of the request , after having sought  
17 prior review by the Legislative Council.

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

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29 SECTION 26. LEGISLATIVE INTENT. It is the intent of the General Assembly  
30 that any funds disbursed under the authority of the appropriations contained  
31 in this act shall be in compliance with the stated reasons for which this act  
32 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
33 and Legislative Recommendations contained in the budget manuals prepared by  
34 the Department of Finance and Administration, letters, or summarized oral  
35 testimony in the official minutes of the Arkansas Legislative Council or Joint  
36 Budget Committee which relate to its passage and adoption.

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SECTION 27. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2001 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2001 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2001.

*/s/ Joint Budget Committee*

APPROVED: 4/16/2001