

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.

Act 1420 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: S3/5/07 S3/19/07 S3/21/07 S3/23/07

A Bill

SENATE BILL 262

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION
16 APPROPRIATION FOR THE 2007-2009
17 BIENNIUM.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Education for the 2007-2009 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34
35

Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	9945	COMMISSIONER OF EDUCATION	1	\$212,770	\$217,025
5	(2)	9952	DEPUTY COMMISSIONER OF EDUCATION	1	\$130,380	\$132,987
6	(3)	9508	ADE SPECIAL ASSISTANT	1	\$92,542	\$94,392
7	(4)	9502	ASST COMM, RESEARCH & TECH	1	\$92,542	\$94,392
8	(5)	9501	ASST COMM, FISCAL & ADMIN SVCS	1	\$92,542	\$94,392
9	(6)	9484	DIR, DIV OF PUB SCHL ACCOUNTABILITY	1	\$92,542	\$94,392
10	(7)	9483	ASST. COMM. LEARNING SERVICES	1	\$92,542	\$94,392
11	(8)	9482	ASST. COMM. HUMAN RESOURCES	1	\$92,542	\$94,392
12	(9)	9039	ED DIR OF COMMUNICATIONS	1	\$68,120	\$69,482
13	(10)	9513	PSYCHOMETRICIAN	1	\$88,908	\$90,686
14	(11)	9509	ADE SPECIAL ADVISOR	1	\$85,391	\$87,098
15	(12)	9277	ADE LITIGATION ATTORNEY	1	\$85,391	\$87,098
16	(13)	9511	ADE COORD SCH. IMP / STANDARDS ASSU	1	\$78,514	\$80,084
17	(14)	9510	ADE COORDINATOR SPECIAL PROGRAMS	1	\$78,514	\$80,084
18	(15)	9844	ADE COORD FISCAL DISTRESS	1	\$71,392	\$72,820
19	(16)	9512	ADE COORDINATOR OF SPECIAL PROJECTS	1	\$68,120	\$69,482
20	(17)	938Z	ED ASSOC DIR PROF DEVELOPMENT	1		GRADE 26
21	(18)	031Z	ED LEGAL ASST TO DIRECTOR	1		GRADE 26
22	(19)	213Z	ED LEAD PLNR FOR DESEGREG MONITOR	1		GRADE 26
23	(20)	216Z	ED ASSOC DIR FOR SPECIAL EDUCATION	1		GRADE 26
24	(21)	217Z	ASSOC DIR STUDENT SUPPORT SERVICES	1		GRADE 26
25	(22)	221Z	ED ASSOC DIR FINANCE	1		GRADE 26
26	(23)	R005	ED ASSISTANT TO DIRECTOR	1		GRADE 26
27	(24)	R170	ATTORNEY SPECIALIST	3		GRADE 25
28	(25)	A046	AGENCY CONTROLLER - LARGE/COMPLEX A	1		GRADE 25
29	(26)	066Z	EDUCATION COMMUNICATION MGR	1		GRADE 24
30	(27)	R069	ED STATISTICAL ANALYST & RESEARCHER	1		GRADE 24
31	(28)	R135	ED COORD RESEARCH & STATISTICS	1		GRADE 24
32	(29)	R036	ATTORNEY	1		GRADE 24
33	(30)	R063	EDUCATION CURRICULUM SUPERVISOR	3		GRADE 23
34	(31)	R067	EDUCATION RESEARCH SPECIALIST	1		GRADE 23
35	(32)	D080	APPLICATIONS & SYSTEMS MANAGER	1		GRADE 23
36	(33)	E032	ED ACCOUNTABILITY PROGRAM COORD	1		GRADE 23

1	(34)	055Z	DP MANAGER	1	GRADE 23
2	(35)	227Z	ED COORD CHAPTER I PROGRAMS	1	GRADE 23
3	(36)	233Z	ED DIR CHILD NUTRITION PROGRAMS	1	GRADE 23
4	(37)	237Z	ED COORD SPECIAL EDUCATION	1	GRADE 23
5	(38)	238Z	ED COORD TEACHER EDUC, CERT & TEST	1	GRADE 23
6	(39)	836Z	COORDINATOR OF CHAPTER II	1	GRADE 23
7	(40)	062Z	ED PERSONNEL MANAGER	1	GRADE 22
8	(41)	909Z	PROGRAM SUPPORT MANAGER	26	GRADE 22
9	(42)	A047	GENERAL FINANCE COORDINATOR	4	GRADE 22
10	(43)	D124	LEAD PROGRAMMER/ANALYST	1	GRADE 22
11	(44)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22
12	(45)	R031	ED SUPERVISOR MIGRANT EDUCATION	1	GRADE 22
13	(46)	V042	GENERAL SERVICES MANAGER	1	GRADE 22
14	(47)	R288	PUBLIC SCHOOL ADMIN ADVISOR	53	GRADE 21
15	(48)	R290	PUBLIC SCHOOL PROGRAM ADVISOR	75	GRADE 21
16	(49)	R028	ED PROGRAM ANALYST	12	GRADE 21
17	(50)	D036	SR PROGRAMMER/ANALYST	2	GRADE 21
18	(51)	E028	ED PROGRAM ADMINISTRATOR	4	GRADE 21
19	(52)	D123	APPLICATIONS & SYSTEMS ANALYST	5	GRADE 21
20	(53)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
21	(54)	A056	INTERNAL AUDITOR	1	GRADE 20
22	(55)	E035	ADE FINANCIAL ANALYST	4	GRADE 20
23	(56)	R133	AGENCY DIRECTOR RESEARCH & STATS	2	GRADE 20
24	(57)	V005	ED SUPERVISOR SPECIAL SERVICES	1	GRADE 20
25	(58)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE 20
26	(59)	R168	GRANTS COORDINATOR II	3	GRADE 19
27	(60)	R204	PARALEGAL/LEGAL ASSISTANT	1	GRADE 19
28	(61)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
29	(62)	A110	ACCOUNTANT II	5	GRADE 19
30	(63)	A111	ACCOUNTANT	2	GRADE 18
31	(64)	E072	TRAINING INSTRUCTOR	1	GRADE 18
32	(65)	G028	BLDG PLANT MAINTENANCE SUPV II	2	GRADE 18
33	(66)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
34	(67)	G161	GENERAL MAINTENANCE REPAIRMAN	1	GRADE 17
35	(68)	R010	ADMINISTRATIVE ASSISTANT II	27	GRADE 17
36	(69)	R190	PERSONNEL OFFICER II	1	GRADE 17

1	(70)	R009	ADMINISTRATIVE ASSISTANT I	7	GRADE 15
2	(71)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
3	(72)	A063	PAYROLL OFFICER	1	GRADE 15
4	(73)	A108	ACCOUNTING TECHNICIAN II	5	GRADE 15
5	(74)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	1	GRADE 15
6	(75)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
7	(76)	K153	SECRETARY II	39	GRADE 13
8	(77)	D003	COMPUTER OPERATOR I	1	GRADE 13
9	(78)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
10	(79)	K039	DOCUMENT EXAMINER II	2	GRADE 12
11	(80)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
12	(81)	K155	SECRETARY I	4	GRADE 11
13	(82)	T043	SECURITY OFFICER I	<u>1</u>	GRADE 11
14			MAX. NO. OF EMPLOYEES	358	

15

16 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for
 17 the Department of Education - State Operations for the 2007-2009 biennium,
 18 the following maximum number of part-time or temporary employees, to be known
 19 as "Extra Help", payable from funds appropriated herein for such purposes:
 20 eight (8) temporary or part-time employees, when needed, at rates of pay not
 21 to exceed those provided in the Uniform Classification and Compensation Act,
 22 or its successor, or this act for the appropriate classification.

23

24 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 25 to the Department of Education, to be payable from the Department of
 26 Education Fund Account, for personal services and operating expenses of the
 27 Department of Education - State Operations for the biennial period ending
 28 June 30, 2009, the following:

29

30	ITEM	FISCAL YEARS	
31	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
32	(01) REGULAR SALARIES	\$ 11,626,086	\$ 11,857,258
33	(02) EXTRA HELP	64,998	64,998
34	(03) PERSONAL SERVICES MATCHING	3,630,090	3,680,426
35	(04) MAINT. & GEN. OPERATION		
36	(A) OPER. EXPENSE	4,102,370	4,090,770

1	(B) CONF. & TRAVEL	209,030	209,030
2	(C) PROF. FEES	1,061,263	1,061,263
3	(D) CAP. OUTLAY	100,000	100,000
4	(E) DATA PROC.	718,732	718,732
5	(05) READING RECOVERY	100,000	100,000
6	(06) AR LEADERSHIP ACADEMY	900,000	900,000
7	(07) COMPACT EDUC RESEARCH & DEV	<u>15,000</u>	<u>15,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 22,527,569</u>	<u>\$ 22,797,477</u>

9
 10 SECTION 4. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. There is hereby
 11 appropriated, to the Department of Education, to be payable from the federal
 12 funds as designated by the Chief Fiscal Officer of the State, for personal
 13 services and operating expenses of the Department of Education - Federal
 14 Grants Administration for the biennial period ending June 30, 2009, the
 15 following:

16			
17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19	(01) REGULAR SALARIES	\$ 388,890	\$ 396,664
20	(02) PERSONAL SERVICES MATCHING	118,029	119,716
21	(03) MAINT. & GEN. OPERATION		
22	(A) OPER. EXPENSE	49,970	49,970
23	(B) CONF. & TRAVEL	19,672	19,672
24	(C) PROF. FEES	60,000	60,000
25	(D) CAP. OUTLAY	0	0
26	(E) DATA PROC.	<u>0</u>	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 636,561</u>	<u>\$ 646,022</u>

28
 29 SECTION 5. APPROPRIATION - BUILDING MAINTENANCE. There is hereby
 30 appropriated, to the Department of Education, to be payable from the
 31 Educational Building Revenue Bond Fund, for operating expenses of the
 32 Department of Education - Building Maintenance for the biennial period ending
 33 June 30, 2009, the following:

34			
35	ITEM	FISCAL YEARS	
36	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>

1	(01) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	\$ 500,000	\$ 500,000
3	(B) CONF. & TRAVEL	0	0
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	0	0
6	(E) DATA PROC.	<u>0</u>	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 500,000</u>	<u>\$ 500,000</u>

8

9 SECTION 6. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There is

10 hereby appropriated, to the Department of Education, to be payable from the

11 Education Revolving Loan Certificates Fund, for personal services and

12 operating expenses of the Department of Education - Revolving Loan

13 Certificates Program for the biennial period ending June 30, 2009, the

14 following:

16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
18	(01) REGULAR SALARIES	\$ 88,560	\$ 90,330
19	(02) PERSONAL SERVICES MATCHING	31,825	32,210
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	27,500	27,500
22	(B) CONF. & TRAVEL	2,500	2,500
23	(C) PROF. FEES	10,000	10,000
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	0	0
26	(04) LOANS TO SCHOOL DISTRICTS	<u>13,000,000</u>	<u>13,000,000</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 13,160,385</u>	<u>\$ 13,162,540</u>

28

29 SECTION 7. APPROPRIATION - CHILD NUTRITION PROGRAM. There is hereby

30 appropriated, to the Department of Education, to be payable from the federal

31 funds as designated by the Chief Fiscal Officer of the State, for personal

32 services and operating expenses of the Department of Education - Child

33 Nutrition Program for the biennial period ending June 30, 2009, the

34 following:

36	ITEM	FISCAL YEARS	
----	------	--------------	--

1	<u>NO.</u>		<u>2007-2008</u>		<u>2008-2009</u>
2	(01)	REGULAR SALARIES	\$ 567,144	\$	578,480
3	(02)	PERSONAL SERVICES MATCHING	186,126		188,589
4	(03)	MAINT. & GEN. OPERATION			
5	(A)	OPER. EXPENSE	393,100		393,100
6	(B)	CONF. & TRAVEL	52,600		52,600
7	(C)	PROF. FEES	156,400		156,400
8	(D)	CAP. OUTLAY	40,000		40,000
9	(E)	DATA PROC.	28,000		28,000
10	(04)	SCHOOL FOOD SERVICE/NUTRITION ED	163,680,000		165,168,000
11	(05)	REFUNDS/REIMBURSEMENTS	<u>396,000</u>		<u>399,600</u>
12		TOTAL AMOUNT APPROPRIATED	<u>\$ 165,499,370</u>		<u>\$ 167,004,769</u>

13

14 SECTION 8. APPROPRIATION - FEDERAL TURNBACK PROGRAM. There is hereby
 15 appropriated, to the Department of Education, to be payable from the federal
 16 funds as designated by the Chief Fiscal Officer of the State, for federal
 17 turnback to school districts of the Department of Education - Federal
 18 Turnback Program for the biennial period ending June 30, 2009, the following:

19

20	ITEM		FISCAL YEARS	
21	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>
22	(01)	FEDERAL TURNBACK	<u>\$ 11,000,000</u>	<u>\$ 11,000,000</u>

23

24 SECTION 9. EXTRA HELP - FEDERAL ELEMENTARY AND SECONDARY EDUCATION. There
 25 is hereby authorized, for the Department of Education - Federal Elementary
 26 and Secondary Education for the 2007-2009 biennium, the following maximum
 27 number of part-time or temporary employees, to be known as "Extra Help",
 28 payable from funds appropriated herein for such purposes: four (4) temporary
 29 or part-time employees, when needed, at rates of pay not to exceed those
 30 provided in the Uniform Classification and Compensation Act, or its
 31 successor, or this act for the appropriate classification.

32

33 SECTION 10. APPROPRIATION - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.
 34 There is hereby appropriated, to the Department of Education, to be payable
 35 from the federal funds as designated by the Chief Fiscal Officer of the
 36 State, for personal services and operating expenses of the Department of

1 Education - Federal Elementary and Secondary Education for the biennial
2 period ending June 30, 2009, the following:

3	4 ITEM	5 FISCAL YEARS	
6	NO.	2007-2008	2008-2009
7	(01) REGULAR SALARIES	\$ 2,802,890	\$ 2,858,916
8	(02) EXTRA HELP	10,000	10,000
9	(03) PERSONAL SERVICES MATCHING	894,875	907,043
10	(04) MAINT. & GEN. OPERATION		
11	(A) OPER. EXPENSE	3,455,900	3,455,900
12	(B) CONF. & TRAVEL	710,500	710,500
13	(C) PROF. FEES	18,351,105	18,351,105
14	(D) CAP. OUTLAY	160,000	160,000
15	(E) DATA PROC.	86,000	86,000
16	(05) ENTITLEMENT GRANT PROGRAMS	491,626,040	496,095,368
17	(06) REFUNDS/REIMBURSEMENTS	<u>1,100,000</u>	<u>1,110,000</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$ 519,197,310</u>	<u>\$ 523,744,832</u>

19 SECTION 11. APPROPRIATION - MULTIPLE GRANT AWARD PROGRAM. There is hereby
20 appropriated, to the Department of Education, to be payable from the cash
21 fund deposited in the State Treasury as determined by the Chief Fiscal
22 Officer of the State, for operating expenses and grants of the Department of
23 Education - Multiple Grant Award Program for the biennial period ending June
24 30, 2009, the following:

25	26 ITEM	27 FISCAL YEARS	
28	NO.	2007-2008	2008-2009
29	(01) MAINT. & GEN. OPERATION		
30	(A) OPER. EXPENSE	\$ 122,000	\$ 122,000
31	(B) CONF. & TRAVEL	16,500	16,500
32	(C) PROF. FEES	40,000	40,000
33	(D) CAP. OUTLAY	0	0
34	(E) DATA PROC.	0	0
35	(02) MULTIPLE GRANT AWARDS	<u>2,447,875</u>	<u>2,447,875</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,626,375</u>	<u>\$ 2,626,375</u>

1 SECTION 12. APPROPRIATION - MEDICAID REIMBURSEMENT PROGRAM. There is
 2 hereby appropriated, to the Department of Education, to be payable from the
 3 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 4 Officer of the State, for Medicaid reimbursement and administration of the
 5 Department of Education - Medicaid Reimbursement Program for the biennial
 6 period ending June 30, 2009, the following:

8 ITEM	FISCAL YEARS	
	2007-2008	2008-2009
9 NO.		
10 (01) REFUNDS/REIMBURSEMENTS	\$ 5,000,000	\$ 5,000,000
11 (02) MEDICAID ADMIN	<u>10,500</u>	<u>10,500</u>
12 TOTAL AMOUNT APPROPRIATED	<u>\$ 5,010,500</u>	<u>\$ 5,010,500</u>

13
 14 SECTION 13. APPROPRIATION - ALTERNATIVE CERTIFICATION PROGRAM. There is
 15 hereby appropriated, to the Department of Education, to be payable from the
 16 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 17 Officer of the State, for operating expenses and grants of the Department of
 18 Education - Alternative Certification Program for the biennial period ending
 19 June 30, 2009, the following:

21 ITEM	FISCAL YEARS	
	2007-2008	2008-2009
22 NO.		
23 (01) MAINT. & GEN. OPERATION		
24 (A) OPER. EXPENSE	\$ 794,866	\$ 802,092
25 (B) CONF. & TRAVEL	0	0
26 (C) PROF. FEES	45,200	45,620
27 (D) CAP. OUTLAY	0	0
28 (E) DATA PROC.	0	0
29 (02) ALT. CERT. PROG. GRANTS AND AID	<u>200,000</u>	<u>200,000</u>
30 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,040,066</u>	<u>\$ 1,047,712</u>

31
 32 SECTION 14. APPROPRIATION - FISH AND WILDLIFE CONSERVATION. There is
 33 hereby appropriated, to the Department of Education, to be payable from the
 34 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 35 Officer of the State, for grants for school education programs for fish and
 36 wildlife conservation of the Department of Education - Fish and Wildlife

1 Conservation for the biennial period ending June 30, 2009, the following:

2

3 ITEM	FISCAL YEARS	
4 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
5 (01) FISH/WILDLIFE CONSERVATION GRANTS	\$ <u>700,000</u>	\$ <u>700,000</u>

6

7 SECTION 15. APPROPRIATION - CASH FUNDS - CONFERENCES. There is hereby
 8 appropriated, to the Department of Education, to be payable from the cash
 9 fund deposited in the State Treasury as determined by the Chief Fiscal
 10 Officer of the State, for operating expenses of conferences sponsored by the
 11 Department of Education for the biennial period ending June 30, 2009, the
 12 following:

13

14 ITEM	FISCAL YEARS	
15 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
16 (01) MAINT. & GEN. OPERATION		
17 (A) OPER. EXPENSE	\$ 400,000	\$ 400,000
18 (B) CONF. & TRAVEL	25,000	25,000
19 (C) PROF. FEES	50,000	50,000
20 (D) CAP. OUTLAY	0	0
21 (E) DATA PROC.	<u>0</u>	<u>0</u>
22 TOTAL AMOUNT APPROPRIATED	\$ <u>475,000</u>	\$ <u>475,000</u>

23

24 SECTION 16. APPROPRIATION - SCHOOL DISTRICT MILLAGE ROLLBACK COMPENSATION.
 25 There is hereby appropriated, to the Department of Education, to be payable
 26 from the Property Tax Relief Trust Fund, to compensate various school
 27 districts for Amendment 79 millage rollback for the biennial period ending
 28 June 30, 2009, the following:

29

30 ITEM	FISCAL YEARS	
31 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
32 (01) AMENDMENT 79 MILLAGE ROLLBACK		
33 COMPENSATION TO SCHOOL DISTRICTS	\$ <u>950,000</u>	\$ <u>950,000</u>

34

35 SECTION 17. APPROPRIATION - MEDICAID ADMINISTRATION CLAIMING PROGRAM.
 36 There is hereby appropriated, to the Department of Education, to be payable

1 from the cash fund deposited in the State Treasury as determined by the Chief
2 Fiscal Officer of the State, for reimbursement of school districts for
3 administrative activities that support the Arkansas Medicaid Program of the
4 Department of Education - Medicaid Administration Claiming Program for the
5 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) AR MEDICAID ADMIN CLAIMS	<u>\$ 15,000,000</u>	<u>\$ 15,000,000</u>

11 SECTION 18. APPROPRIATION - NATIONAL GOVERNORS ASSOCIATION HONOR STATES
12 GRANT PROGRAM. There is hereby appropriated, to the Department of Education,
13 to be payable from the cash fund deposited in the State Treasury as
14 determined by the Chief Fiscal Officer of the State, for operating expenses
15 and grants of the Department of Education - National Governors Association
16 Honor States Grant Program for the biennial period ending June 30, 2009, the
17 following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) NGA HONOR STATES GRANT	<u>\$ 500,000</u>	<u>\$ 0</u>

23 SECTION 19. APPROPRIATION - PULASKI COUNTY DESEGREGATION CASE COSTS. *There*
24 *is hereby appropriated, to the Department of Education, to be payable from*
25 *the Department of Education Fund Account, for payment of consultants, expert*
26 *witnesses, attorneys' fees, or other costs related to investigating and*
27 *pursuing the end of the Pulaski County Desegregation Case, for the biennial*
28 *period ending June 30, 2009, the sum of\$1,500,000.*

30 SECTION 20. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK -
31 "END TO END" SECURITY REVIEW/ASSESSMENT. *There is hereby appropriated, to the*
32 *Department of Education, to be payable from the Department of Education*
33 *Public School Fund Account, for professional fees and services for the*
34 *completion of an "End to End" Security Review and Security Assessment for the*
35 *Department of Education - Arkansas Public School Computer Network which shall*
36 *be supplemental and in addition to those funds appropriated in Section 3 of*

1 Act 229 of 2007, the sum of\$300,000.

2

3 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 EQUALIZATION OF PERSONAL PROPERTY MILLAGE. (A) Amendment 79 of the
6 Constitution of the State of Arkansas provides that school district millage
7 must be equal for all classes of property and several school districts now
8 have unequalized millage on real and personal property. The Arkansas
9 Department of Education and the Assessment Coordination Department are hereby
10 authorized to identify those school districts which are affected by the
11 Amendment 79 provision to equalize millage and calculate the loss in revenues
12 due to the equalization of the millage. Loss in revenue shall be defined as
13 the difference between the collectable taxes calculated by multiplying the
14 current assessment times the pre-equalized mills and the current assessment
15 times post-equalized mills.

16 (B) School districts shall receive funding authorized herein equal to the
17 loss in revenues as calculated by the Arkansas Department of Education and
18 the Assessment Coordination Department.

19 (C) Funding received by school districts pursuant to this act shall be
20 considered unrestricted revenues to those districts, ~~and shall be included in~~
21 ~~the calculation of total state and local revenues of each district.~~

22 The provisions of this section shall be in effect only from July 1, 2005
23 2007 through June 30, ~~2007~~ 2009.

24

25 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TURNBACK
27 FUNDS. Any Federal Mineral Leasing Funds, Federal Forest Reserve Funds,
28 Federal Flood Control Funds, or any similar turnback funds in the State
29 Treasury for which the eligible county and/or school district cannot be
30 identified may be transferred to the Department of Education Public School
31 Fund Account and used for any lawful school purpose.

32 The provisions of this section shall be in effect only from July 1, 2005
33 2007 through June 30, ~~2007~~ 2009.

34

35 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~YEAR-END~~

1 ~~FUND BALANCE.~~ CARRY FORWARD. Notwithstanding any law pertaining to the
2 transfer of year-end fund balances or any law to the contrary, any funds
3 which remain in the Department of Education Fund Account at the end of a
4 fiscal year shall remain in the Department of Education Fund Account and made
5 available to fund appropriation authorized by law and made payable from the
6 Department of Education Fund Account for the following fiscal year.

7 Any carry forward of unexpended balance of appropriation and/or funding as
8 authorized herein, may be carried forward under the following conditions:

9 (1) Prior to June 30, 2008 the Agency shall by written statement set
10 forth its reason(s) for the need to carry forward said appropriation and/or
11 funding to the Department of Finance and Administration Office of Budget;

12 (2) The Department of Finance and Administration Office of Budget shall
13 report to the Arkansas Legislative Council all amounts carried forward from
14 the first fiscal year of the biennium to the second fiscal year of the
15 biennium by the September Arkansas Legislative Council or Joint Budget
16 Committee meeting in the second fiscal year of the biennial period which
17 report shall include the name of the Agency, Board, Commission or Institution
18 and the amount of the appropriation and/or funding carried forward from the
19 first fiscal year to the second fiscal year, the program name or line item,
20 the funding source of that appropriation and a copy of the written request
21 set forth in (1) above;

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

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

34 The provisions of this section shall be in effect only from July 1, 2005
35 2007 through June 30, 2007 2009.

36

1 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY OF
3 THE ~~DIRECTOR~~ COMMISSIONER OF THE DEPARTMENT OF EDUCATION. It is the intent of
4 the General Assembly that the appropriation for the salary of the ~~Director~~
5 Commissioner of the Department of Education shall be the sole and exclusive
6 authority for his or her salary. It is further the intent of the General
7 Assembly that the ~~Director~~ Commissioner be required to devote all of his or
8 her working time exclusively to the performance of his or her duties as
9 ~~Director~~ Commissioner of the Department of Education. Therefore, the
10 ~~Director~~ Commissioner of the Department of Education is hereby prohibited
11 from accepting any additional salary from any other source (including state,
12 federal, or private entities or persons) for the performance of his or her
13 duties as ~~Director~~ Commissioner, and is prohibited from accepting any salary,
14 fees or compensation from any other source (including state, federal or
15 private entities or persons) for any other employment of any kind outside the
16 scope of his or her duties as ~~Director~~ Commissioner, including but not
17 limited to consulting work for any other public or private entity. This
18 section shall not be construed to prohibit the ~~Director~~ Commissioner from
19 accepting or receiving expense reimbursements and employee benefits as
20 provided by State law.

21
22 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from
25 statewide education issues and the necessity of recruiting and retaining
26 qualified personnel, the Arkansas Department of Education or its successor
27 agency is authorized for the ~~2005-2007~~ 2007-2009 biennium a pool of twenty
28 five (25) non-classified positions at a maximum salary level not to exceed
29 one hundred twenty five thousand dollars (\$125,000) per year. These positions
30 are to be used by the Department of Education in the event that the personal
31 services needs of the Department during the ~~2005-2007~~ 2007-2009 biennium
32 require additional positions, either by title or in number, that are not
33 authorized by the General Assembly in Section 1 of this Act. These positions
34 may also be used to properly classify positions when the Department does not
35 have a vacant position available with the appropriate title and salary level.
36 (b) To address needs emerging from statewide education issues and the

1 necessity of recruiting and retaining qualified personnel, the Arkansas
2 Department of Education or its successor agency is authorized for the ~~2005-~~
3 ~~2007~~ 2007-2009 biennium a pool of twenty five (25) classified positions at up
4 to a grade twenty six (26). These positions are to be used by the Department
5 of Education in the event that the personal services needs of the Department
6 during the ~~2005-2007~~ 2007-2009 biennium require additional positions, either
7 by classification or in number, that are not authorized by the General
8 Assembly in Section 1 of this Act. These positions may also be used to
9 properly classify positions when the Department does not have a vacant
10 position available with the appropriate title and grade level.

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

15 (d) The Department of Education is authorized to access the pool positions
16 authorized in this Section at any time during the biennium when it is
17 determined by the ~~Director~~ Commissioner that the need exists. The ~~Director~~
18 Commissioner shall provide a quarterly report of the justification for the
19 need to allocate titles from this growth pool to the Chief Fiscal Officer of
20 the State and to the Arkansas Legislative Council for review. The report
21 shall also include an accounting of the names, titles, and salaries of
22 personnel whose salaries have been adjusted under provisions of Subsections
23 (a) and (b) of this Section.

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

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

1 that the General Assembly maintain oversight of the utilization of the
2 position pool by requiring review of the Legislative Council in the
3 utilization of the position pool. Therefore, the requirement of review by the
4 Legislative Council is not a severable part of this section. If the
5 requirement of review by the Legislative Council is ruled unconstitutional by
6 a court of competent jurisdiction, this entire section is void.

7 The provisions of this section shall be in effect only from July 1, ~~2005~~
8 2007 through June 30, ~~2007~~ 2009.

9

10 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

12 EXCEPTIONS TO MAXIMUM SALARY LEVELS. In order that qualified education
13 personnel may be recruited and retained, the Department of Education may
14 exceed the maximum salary levels set out in dollars in Section 1 of this Act
15 by no more than twenty-five percent (25%) for the following positions
16 authorized in Section 1 of this Act:

17 9952 DEPUTY COMMISSIONER OF EDUCATION

18 9502 ASST COMMISSIONER, RESEARCH AND TECHNOLOGY

19 9501 ASST COMMISSIONER, FISCAL & ADMINISTRATIVE SERVICES

20 9482 ASST COMMISSIONER, HUMAN RESOURCES

21 9483 ASST COMMISSIONER, LEARNING SERVICES

22 9484 DIRECTOR, DIVISION OF PUBLIC SCHOOL ACCOUNTABILITY

23 9277 ADE LITIGATION ATTORNEY

24 9039 EDUCATION DIRECTOR OF COMMUNICATIONS

25 Any salary adjustments administered under the provisions of this Section
26 shall be determined by comparing the qualifications and salary levels of
27 similar employees in school districts or in other state education agencies.

28 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
29 through June 30, ~~2007~~ 2009.

30

31 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
33 LEADERSHIP ACADEMY - REDUCTION OF FUNDS RESTRICTION. Upon determination by
34 the Department of Education that a reduction in the amount of available
35 appropriation within the Department of Education Fund Account is required
36 from the amount appropriated, the reduction in the available appropriation

1 from the full amount appropriated for the Arkansas Leadership Academy shall
2 be limited to the average percentage reduction in the other appropriations to
3 the Department of Education from the Department of Education Fund Account.

4 The provisions of this section shall be in effect only from July 1, 2005
5 2007 through June 30, ~~2007~~ 2009.

6
7 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 LEADERSHIP ACADEMY. The funds appropriated in the "AR LEADERSHIP ACADEMY"
10 line item in Section ~~1~~ 3 of this Act shall be used ~~to implement~~ for the
11 School Support Program which will provide support to schools or school
12 districts designated by the Department of Education as being in school
13 improvement status and to provide for general operations of the Leadership
14 Academy.

15 The provisions of this section shall be in effect only from July 1, 2005
16 2007 through June 30, ~~2007~~ 2009.

17
18 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
19 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
20 LIMITATIONS AND REPORTING. Disbursement of funds authorized by Section 17 of
21 this Act shall be subject to the following limitations:

22 (1) No part of these funds shall be used to coerce, influence, or
23 provide incentive to local school districts to select or deselect a
24 Medicaid provider;

25 (2) The Department of Education shall report annually to the House and
26 Senate Public Health, Welfare and Labor Committees that the funds
27 are not being used in a manner prohibited by this Act and how they
28 are being expended;

29 (3) If any part of this section requires the state plan for the Arkansas
30 Medicaid Administration Claiming Program to be renegotiated with the
31 federal Centers for Medicare and Medicaid Services or would cause in
32 any way the loss of federal funds, this section shall be declared
33 void and be severed from this Act.

34
35 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
36 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

9 The provisions of this section shall be in effect only from July 1, 2005
10 2007 through June 30, 2007 2009.

11
12 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.

14 FUNDING TRANSFERS.

15 (a) On July 1, 2007 the Chief Fiscal Officer of the State shall
16 transfer on his books and those of the State Treasurer and the State Auditor,
17 twenty-one million seven hundred three thousand seven hundred ninety dollars
18 (\$21,703,790) from the General Revenue Allotment Reserve Fund to the
19 Department of Education Public School Fund Account for the purpose of funding
20 the Ninety-eight Percent (98%) Uniform Rate of Tax (URT) Actual Collection
21 Adjustment for fiscal year 2007-08 and fiscal year 2008-09 as appropriated
22 herein.

23 (b) The Department of Education shall create a sub-fund within the
24 Department of Education Public School Fund Account to receive this transfer
25 of twenty-one million seven hundred three thousand seven hundred ninety
26 dollars (\$21,703,790) from the General Revenue Allotment Reserve Fund, and
27 shall use these funds exclusively for the payment of the 98% URT Actual
28 Collection Adjustment and the study of the implementation of the 98% URT
29 Actual Collection Adjustment.

30 (c) The legislature is totally committed to insuring each school
31 district receives the amount of foundation funding provided for in Arkansas
32 Code §6-20-2305(a)(2)(A) and (B), regardless of the amount of revenue
33 collected by the counties. However, there is a genuine question concerning
34 the efficiency and effectiveness in the county collection process. Act 272
35 of 2007 contains a provision requiring the Division of Legislative Audit to
36 investigate and report proposed changes to the county collection process.

1 Based on these proposed efficiencies, the Legislature intends to provide full
2 general revenue funding for the 98% URT Actual Collection Adjustment in the
3 next biennium. The use of the General Revenue Allotment Reserve Fund is a
4 "bridge" providing full funding subject to a final decision on collection
5 improvements.

6 (d) Subsection (c) above shall also apply to the "Funding Transfers"
7 section of Special Language in Act 229 of 2007.

8
9 SECTION 32. Arkansas Code § 6-17-1117(b), concerning Department of
10 Education contributions to health insurance premiums for public school
11 employees, is amended to read as follows:

12 (b)(1)(A) The Department of Education shall pay the Employee Benefits
13 Division of the Department of Finance and Administration a minimum of sixty-
14 one dollars (\$61.00) per month for each eligible employee of a public school
15 district electing to participate in the public school employees' health
16 insurance program administered by the State and Public School Life and Health
17 Insurance Board.

18 (B) The Department of Education shall make the total contributions
19 under subdivision (b)(1)(A) of this section by transferring thirty-five
20 million dollars (\$35,000,000) to the division in eleven (11) equal monthly
21 installments.

22 (2) The funds provided to the division under this subsection shall be
23 administered by the board for the benefit of the employee participants of the
24 public school employees' health insurance program.

25 (3)(A)~~(i)~~ In the event that appropriation or funding is not provided,
26 the department shall not be responsible for the increased payments for the
27 public school employee health insurance program as established by this
28 section.

29 ~~(i)~~(B) If funding and appropriation are provided but are
30 inadequate for the total number of employees electing to participate in the
31 public school employees' health insurance program, the department shall pay a
32 proportional share on behalf of each participant.

33 (C) If funding and appropriation are provided and exceed the amount
34 needed to make the minimum contribution under subdivision (b)(1)(A), the
35 department shall pay a proportional share of the excess on behalf of each
36 participant.

1
2 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The
4 Special Language regarding "Health Insurance" as authorized in SECTION 23 of
5 Act 229 of 2007 is amended to read as follows:
6

7 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
8 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY
9 LAW. HEALTH INSURANCE. Beginning with the 1996-97 school year, Local
10 School Districts shall pay no less than the health insurance
11 contribution rate established by Arkansas Code 6-17-1117 for each
12 eligible employee electing to participate in the Public School Employee
13 Health Insurance Program. The appropriation contained herein for Public
14 School Employee Insurance each fiscal year shall be used to provide the
15 state contribution for insurance premiums for employees of the
16 Cooperative Education Services Areas, Vocational Centers, and the school
17 operated by the Department of Correction who participate in the Arkansas
18 Public School Life and Health Insurance Program.

19 In addition, the Department of Education shall pay the
20 Employee Benefits Division of the Department of Finance and
21 Administration a minimum of sixty-one dollars (\$61) per month for each
22 eligible employee electing to participate in the public school employee
23 health insurance program.

24 The provisions of this section shall be in effect only from
25 July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.
26

27 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI
29 COUNTY DESEGREGATION CASE COSTS FUND TRANSFER - PUBLIC SCHOOL FUND.
30 Immediately upon the effective date of this Act, the Chief Fiscal Officer of
31 the State shall transfer on his or her books and those of the State Treasurer
32 and the Auditor of the State the sum of seven hundred fifty thousand dollars
33 (\$750,000) from the Department of Education Public School Fund Account to the
34 Department of Education Fund Account to provide funds for the appropriation
35 authorized in this Act for Pulaski County Desegregation Case Costs. On July
36 1, 2007 the Chief Fiscal Officer of the State may transfer to the Department

1 of Education Public School Fund Account an amount not to exceed seven hundred
2 fifty thousand dollars (\$750,000) from the Budget Stabilization Trust Fund if
3 the Department of Education Public School Fund Account balance is less than
4 twenty million dollars (\$20,000,000) on July 1, 2007.

5 No portion of the seven hundred fifty thousand dollars (\$750,000)
6 transferred by this Section to the Department of Education Fund Account for
7 Pulaski County Desegregation Case Costs shall be expended by the Department
8 of Education without certification by the Commissioner of the Department of
9 Education to the Chief Fiscal Officer of the State and prior approval by the
10 Chief Fiscal Officer of the State.

11 The provisions of this section shall be in effect only from July 1, 2007
12 through June 30, 2009.

13
14 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI
16 COUNTY DESEGREGATION CASE COSTS FUND TRANSFER - EIGHTY-FIFTH SESSION PROJECTS
17 ACCOUNT. On July 1, 2007, the Chief Fiscal Officer shall transfer on his or
18 her books and those of the State Treasurer and the Auditor of State the sum
19 of one hundred ninety thousand dollars (\$190,000) from the Eighty-Fifth
20 Session Projects Account within the General Improvement Fund which was
21 authorized in Act 2315 of 2005 for state assistance to the City of
22 Jacksonville, Arkansas for costs associated with the construction, renovation
23 and equipping of a library and the sum of twenty thousand dollars (\$20,000)
24 from the Eighty-Fifth Session Projects Account within the General Improvement
25 Fund which was authorized in Act 2315 of 2005 for state assistance to the
26 City of Jacksonville, Arkansas to the Department of Education Fund Account to
27 provide funds exclusively for the appropriation authorized in this Act for
28 the Department of Education for the payment of Pulaski County Desegregation
29 Case Costs.

30 The provisions of this section shall be in effect only from July 1, 2007
31 through June 30, 2009.

32
33 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
35 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
36 funding for Alternative Learning Environment Programs in excess of the

1 regulatory limitation of six (6) hours per day for those programs that
 2 operate more than twelve hours per day, in a proportionate manner and upon
 3 special request to the Department of Education.

4 The provisions of this section shall be in effect only from July 1, 2007
 5 through June 30, 2009.

6
 7 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER
 9 HOUSING DEVELOPMENT FUNDING. The appropriation for Teacher Housing
 10 Development provided in Act 229 of 2007 shall be fully funded and reduced
 11 only proportionally for decreases in the Official General Revenue Forecast.

12
 13 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN-
 15 ENROLLMENT VIRTUAL CHARTER SCHOOL FUNDING RESTRICTIONS. The Special Language
 16 Section regarding "Charter School Funding Restrictions" in Section 24 of Act
 17 229 of 2007 is amended to read as follows:

18
 19 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
 20 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY
 21 LAW. ~~CHARTER SCHOOL FUNDING RESTRICTIONS.~~ OPEN-ENROLLMENT VIRTUAL
 22 CHARTER SCHOOL FUNDING RESTRICTIONS. ~~Regardless of any provision of~~
 23 ~~any law to the contrary, the Department of Education shall fund from~~
 24 ~~state monies only those charter schools which provide education~~
 25 ~~services in a traditional public school setting and, if the internet or~~
 26 ~~long distance learning technology is used, the internet or long-~~
 27 ~~distance learning technology is used as a supplement to the school's~~
 28 ~~traditional classroom setting.~~

29 ~~The provisions of this section shall be in effect only from July~~
 30 ~~1, 2005 2007 through June 30, 2007 2009.~~

31 (a) Regardless of any provision of law to the contrary, beginning
 32 with the 2007-2008 school year, no school district shall receive state
 33 funding for those students in the district's prior year three quarter
 34 average daily membership who were enrolled and attending a public
 35 school with an internet, long-distance or virtual technology curriculum
 36 based program which was not part of a public school district and the

1 public school program was funded by a federal voluntary public school
2 choice grant administered by the Department of Education.

3 (b) Prior to July 1, 2007, the Department of Education shall
4 notify the Arkansas State Board of Education of the maximum number of
5 students that the State Board of Education shall allow to enroll and
6 attend any open-enrollment charter school that uses internet, long-
7 distance or virtual technology as the primary method of teaching. It
8 is the intent of this language that the Department shall not establish
9 and certify a number of students to the State Board of Education that
10 exceeds the number of students for which school districts were not able
11 to receive state funding because of the requirements of paragraph (a).
12 However, to the extent there are any revenue savings caused by the
13 closure of any open-enrollment charter school in existence on July 1,
14 2006, the State Board of Education may increase the maximum number of
15 students allowed to enroll and attend an internet, long-distance or
16 virtual technology open-enrollment charter school to the extent the
17 maximum number of students does not exceed five hundred (500) students.

18 (c) The provisions of this special language shall not restrict,
19 affect or impair any other provision of law or rule concerning public
20 school districts or public charter schools except as provided in
21 paragraph (a) and (b).

22 (d) The provisions of this section shall be in effect only from
23 July 1, 2007 through June 30, 2009.

24
25
26 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
28 TRANSFER - "END TO END" SECURITY REVIEW/ASSESSMENT. Immediately upon the
29 effective date of this Act, the Chief Fiscal Officer of the State shall
30 transfer on his books and those of the State Treasurer and the Auditor of
31 State, the sum of three hundred thousand dollars (\$300,000) from the General
32 Revenue Allotment Reserve Fund to the Department of Education Public School
33 Fund Account. The amount transferred shall be used to provide funds for the
34 supplemental appropriation for the Arkansas Public School Computer Network -
35 "End to End" Security Review and Security Assessment provided in this Act.
36 The provisions of this section shall be in effect only from July 1, 2007

1 through June 30, 2009.

2
3 SECTION 40. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
4 by this act shall be limited to the appropriation for such agency and funds
5 made available by law for the support of such appropriations; and the
6 restrictions of the State Procurement Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

12
13 SECTION 41. LEGISLATIVE INTENT. It is the intent of the General Assembly
14 that any funds disbursed under the authority of the appropriations contained
15 in this act shall be in compliance with the stated reasons for which this act
16 was adopted, as evidenced by the Agency Requests, Executive Recommendations
17 and Legislative Recommendations contained in the budget manuals prepared by
18 the Department of Finance and Administration, letters, or summarized oral
19 testimony in the official minutes of the Arkansas Legislative Council or
20 Joint Budget Committee which relate to its passage and adoption.

21
22 SECTION 42. EMERGENCY CLAUSE. It is found and determined by the General
23 Assembly, that the Constitution of the State of Arkansas prohibits the
24 appropriation of funds for more than a two (2) year period; that the
25 effectiveness of this Act on July 1, 2007 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the Regular Session, the delay in the effective
28 date of this Act beyond July 1, 2007 could work irreparable harm upon the
29 proper administration and provision of essential governmental programs.
30 Therefore, an emergency is hereby declared to exist and this Act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after July 1, 2007.

33
34 /s/ Joint Budget Committee

35
36 APPROVED: 4/5/2007