

1 State of Arkansas *As Engrossed: S2/17/15 S2/25/15 S3/18/15 S3/26/15*

2 90th General Assembly

# A Bill

3 Regular Session, 2015

SENATE BILL 174

4

5 By: Joint Budget Committee

6

7

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO  
9 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE  
10 DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING  
11 JUNE 30, 2016; AND FOR OTHER PURPOSES.

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## Subtitle

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

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SECTION 1. APPROPRIATION. 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, 2016, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE	\$15,000,000
(03) ADVANCED PLACEMENT INCENTIVE	825,000
(04) ALTERNATIVE LEARNING	24,812,881
(05) ARKANSAS EASTER SEALS	193,113
(06) ASSESSMENT/END OF LEVEL TESTING	22,250,189



1	(07)	AT RISK	1,988,530
2	(08)	BETTER CHANCE PROGRAM	111,000,000
3	(09)	BONDED DEBT ASSISTANCE	28,455,384
4	(10)	BROADBAND FACILITIES MATCHING GRANT	
5		PROGRAM	5,000,000
6	(11)	CONSOLIDATION INCENTIVE	5,868,900
7	(12)	CONTENT STANDARDS	161,000
8	(13)	CONTENTS STANDARDS CURRICULUM	
9		FRAMEWORKS	50,000
10	(14)	COOP EDUCATION TECH CENTERS	1,200,000
11	(15)	COORDINATED SCHOOL HEALTH	2,000,000
12	(16)	COURT ORDERED DESEGREGATION	65,794,267
13	(17)	CRIMINAL BACKGROUND CHECKS	25,000
14	(18)	DECLINING ENROLLMENT	13,963,389
15	(19)	DEPT OF CORRECTION	6,541,147
16	(20)	DISTANCE LEARNING	4,760,000
17	(21)	DISTANCE LEARNING OPERATIONS	7,575,000
18	(22)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
19	(23)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
20	(24)	ECONOMIC EDUCATION	400,000
21	(25)	EDUCATION SERVICE COOPERATIVES	6,129,270
22	(26)	ENGLISH LANGUAGE LEARNERS	14,284,735
23	(27)	GENERAL FACILITIES FUNDING	8,100,000
24	(28)	GIFTED & TALENTED	1,335,381
25	(29)	GRANTS TO SCHOOL DISTRICTS	67,856
26	(30)	HOME SCHOOL TESTING	250,000
27	(31)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
28	(32)	INTERNATIONAL BACCALAUREATE PROGRAM	75,000
29	(33)	INTERVENTION BLOCK GRANTS	302,000
30	(34)	ISOLATED FUNDING	7,896,000
31	(35)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
32	(36)	MASTER PRINCIPAL BONUS	208,000
33	(37)	NATIONAL BOARD OF PROF TEACHING	
34		STANDARDS	13,854,260
35	(38)	NATIONAL SCHOOL LUNCH	224,450,590
36	(39)	NON-TRADITIONAL LICENSURE	50,000

1	(40)	PROFESSIONAL DEVELOPMENT FUNDING	16,186,268
2	(41)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
3	(42)	RESIDENTIAL CENTERS/JUVENILE	
4		DETENTION	16,345,087
5	(43)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
6	(44)	SCHOOL FOOD SERVICES	1,650,000
7	(45)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
8	(46)	SCHOOL FUNDING CONTINGENCY	25,000,000
9	(47)	SCHOOL RECOGNITION	10,000,000
10	(48)	SCHOOL WORKER DEFENSE	390,000
11	(49)	SERIOUS OFFENDER	1,716,859
12	(50)	SMART START/SMART STEP	10,666,303
13	(51)	SPECIAL EDUCATION SERVICES	2,802,527
14	(52)	SPECIAL EDUCATION-CATASTROPHIC	11,000,000
15	(53)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
16	(54)	STATE FOUNDATION FUNDING	2,009,440,423
17	(55)	STUDENT GROWTH	37,690,144
18	(56)	SUPPLEMENTAL MILLAGE	10,000,000
19	(57)	SURPLUS COMMODITIES	1,125,065
20	(58)	TEACHER LICENSING/MENTORING	5,065,758
21	(59)	TEACHER OF THE YEAR	100,000
22	(60)	TEACHER RECRUITMENT	2,100,000
23	(61)	TEACHER RETIREMENT MATCHING	10,730,500
24	(62)	TECHNOLOGY GRANTS	3,602,678
25	(63)	TECHNOLOGY IMPROVEMENTS	500,000
26	(64)	WORKER'S COMPENSATION	450,000
27	(65)	<i>YOUTH SHELTERS</i>	165,000
28	(66)	<i>ENHANCED TRANSPORTATION FUNDING</i>	<u>3,000,000</u>
29		TOTAL AMOUNT APPROPRIATED	<u>\$2,888,016,174</u>

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31 SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.  
 32 There is hereby established for the Department of Education - Arkansas Public  
 33 School Computer Network for the 2015-2016 fiscal year, the following maximum  
 34 number of regular employees.

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Maximum Annual

1			Maximum	Salary Rate
2	Item Class		No. of	Fiscal Year
3	No. Code Title		Employees	2015-2016
4	(1) N047N ADE APSCN DIRECTOR		1	GRADE N908
5	(2) G012C ADE ASSISTANT TO COMMISSIONER		3	GRADE C129
6	(3) D007C INFORMATION SYSTEMS MANAGER		1	GRADE C128
7	(4) D006C SOFTWARE ENGINEER LEAD		1	GRADE C128
8	(5) D012C DATABASE SPECIALIST		1	GRADE C127
9	(6) G050C ADE APSCN DIVISION MANAGER		2	GRADE C126
10	(7) D105C ADE STATE NETWORK ENGINEER		1	GRADE C126
11	(8) D104C ADE STATE SYSTEMS ADMINISTRATOR		1	GRADE C126
12	(9) D037C ADE APSCN APPLICATIONS MANAGER		3	GRADE C124
13	(10) D042C DATA WAREHOUSE SPECIALIST		1	GRADE C123
14	(11) D038C SENIOR SOFTWARE SUPPORT ANALYST		1	GRADE C123
15	(12) D055C ADE APSCN FIELD ANALYST		25	GRADE C121
16	(13) D063C COMPUTER SUPPORT SPECIALIST		1	GRADE C119
17	(14) A089C ACCOUNTANT I		1	GRADE C116
18	(15) D075C SOFTWARE SUPPORT SPECIALIST		1	GRADE C116
19	(16) C020C STUDENT APPLICATIONS SPECIALIST		3	GRADE C116
20	(17) C037C ADMINISTRATIVE ANALYST		1	GRADE C115
21	(18) D079C COMPUTER SUPPORT TECHNICIAN		1	GRADE C115
22	(19) D077C HELP DESK SPECIALIST		1	GRADE C115
23	(20) C056C ADMINISTRATIVE SPECIALIST III		<u>1</u>	GRADE C112
24	MAX. NO. OF EMPLOYEES		51	

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## 26 SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

27 There is hereby appropriated, to the Department of Education, to be payable  
 28 from the Department of Education Public School Fund Account, for personal  
 29 services and operating expenses of the Department of Education - Arkansas  
 30 Public School Computer Network for the fiscal year ending June 30, 2016, the  
 31 following:

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33	ITEM	FISCAL YEAR
34	NO.	2015-2016
35	(01) REGULAR SALARIES	\$2,594,987
36	(02) PERSONAL SERVICES MATCHING	820,824

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	19,245,839
3	(B) CONF. & TRAVEL	7,250
4	(C) PROF. FEES	0
5	(D) CAP. OUTLAY	200,000
6	(E) DATA PROC.	0
7	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$23,168,900</u></u>

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10 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There  
 11 is hereby established for the Department of Education - Office of Education  
 12 Renewal Zones for the 2015-2016 fiscal year, the following maximum number of  
 13 regular employees.

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15			Maximum Annual
16		Maximum	Salary Rate
17	Item Class	No. of	Fiscal Year
18	<u>No. Code Title</u>	<u>Employees</u>	<u>2015-2016</u>
19	(1) E007C ADE OERZ DIRECTOR	1	GRADE C126
20	(2) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3	GRADE C122
21	(3) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
22	MAX. NO. OF EMPLOYEES	5	

23

24 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is  
 25 hereby appropriated, to the Department of Education, to be payable from the  
 26 Department of Education Public School Fund Account, for personal services,  
 27 operating expenses and grants by the Department of Education - Office of  
 28 Education Renewal Zones for the fiscal year ending June 30, 2016, the  
 29 following:

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31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2015-2016</u>
33	(01) REGULAR SALARIES	\$251,647
34	(02) PERSONAL SERVICES MATCHING	79,858
35	(03) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	91,800

1	(B) CONF. & TRAVEL	13,000
2	(C) PROF. FEES	306,900
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	0
5	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>717,450</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,460,655</u></u>

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8 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND  
 10 FACILITIES MATCHING GRANT PROGRAM - RESTRICTIONS AND MATCHING FUNDS. (i) The  
 11 appropriation in this Act for the Broadband Facilities Matching Grant Program  
 12 shall not be used for Arkansas Research and Education Optical Network (AREON)  
 13 or Middle Mile Connectivity.

14 (ii) The funds appropriated for state match for the Broadband  
 15 Facilities Matching Grant Program in this Act shall be paid on a one-to-one  
 16 state/local matching basis.

17 The provisions of this section shall be in effect only from July 1,  
 18 ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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20 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Any  
 22 unexpended balance of monies allocated for the Broadband Facilities Matching  
 23 Grant Program remaining on June 30, ~~2015~~ 2016, in the Department of Education  
 24 Public School Fund Account shall be designated and retained for the Broadband  
 25 Facilities Matching Grant Program.

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

28 (1) Prior to June 30, ~~2015~~ 2016 the Agency shall by written statement  
 29 set forth its reason(s) for the need to carry forward said funding to the  
 30 Department of Finance and Administration Office of Budget;

31 (2) The Department of Finance and Administration Office of Budget shall  
 32 report to the Arkansas Legislative Council all amounts carried forward by the  
 33 September Arkansas Legislative Council or Joint Budget Committee meeting  
 34 which report shall include the name of the Agency, Board, Commission or  
 35 Institution and the amount of the funding carried forward, the program name  
 36 or line item, the funding source of that appropriation and a copy of the

1 written request set forth in item (1) above;

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

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

14 The provisions of this section shall be in effect only from July 1,  
15 ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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17 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
19 ALLOCATION. The appropriation for the Isolated Funding line item in Section 1  
20 of this Act may be fully funded. Any funding and appropriation for Isolated  
21 Funding that is not utilized shall be transferred to the appropriation for  
22 Special Needs Isolated Funding in Section 1 of this Act and shall be used  
23 there for fully funding each subsection (c) through (f) of Arkansas Code  
24 §6-20-604 on a pro rata basis until the available funds are exhausted. Pro  
25 rata basis is defined as providing each district qualifying for additional  
26 funding under subsections (c) through (f) a proportionate share based on how  
27 each district's additional funding amount bears to the total additional  
28 funding amounts for all qualifying districts. If any funding and  
29 appropriation remains after funding each subsection (c) through (f) of  
30 Arkansas Code §6-20-604 the remaining balance shall be used to fund the  
31 provisions of Arkansas Code §6-20-604 (h) on an equal basis until the  
32 available funds are exhausted.

33 The provisions of this section shall be in effect only from July 1, ~~2014~~  
34 2015 through June 30, ~~2015~~ 2016.

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

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO  
2 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School  
3 Districts appropriation in Section 1 of this Act, "school district" means a  
4 school district which contracts with a school district in an adjoining state  
5 for the education of some of the pupils within the Arkansas school district  
6 because the portion of the school district wherein such pupils live is  
7 completely separated from the remainder of the school district by a reservoir  
8 covering at least 12,000 acres at normal water level, and where to attend  
9 school in their own district, the pupils of said portion would be required to  
10 travel or to be transported a distance (measured by the nearest highway or  
11 road route) of more than 35 miles round trip and pass through another school  
12 district or districts. The Department of Education shall distribute the  
13 monies appropriated for Grants to School Districts in Section 1 of this Act  
14 to such school districts as reimbursement for expenses incurred in educating  
15 the pupils residing in the separated portion of the school district. The  
16 payments are to be limited to the amount of available appropriation. Such  
17 school districts shall file a request for reimbursement with the Department  
18 of Education and provide the Department of Education with such documentation  
19 as is deemed necessary.

20 The provisions of this section shall be in effect only from July 1, ~~2014~~  
21 2015 through June 30, ~~2015~~ 2016.

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23 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
25 EDUCATION SERVICES. The funds appropriated in the line item "Special  
26 Education Services" in Section 1 of this Act shall be used to provide  
27 extended year summer programs for handicapped students in need of such  
28 services, to provide special education services to foster children who are  
29 wards of the State, and to provide funds for the payment of salaries of  
30 special education supervisors. The Department of Education shall distribute  
31 such funds in the manner necessary to carry out the intent of this Section.

32 The provisions of this section shall be in effect only from July 1, ~~2014~~  
33 2015 through June 30, ~~2015~~ 2016.

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

1 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each  
2 fiscal year thereafter, the Department of Education shall from time to time  
3 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the  
4 State, the amount of funds disbursed or approved to be disbursed by the  
5 Department of Education for desegregation expenses under any "Desegregation  
6 Settlement Agreement". Upon the receipt of such certification, the State  
7 Treasurer, after making those deductions as set out in Arkansas Code 19-5-  
8 202(b)(2)(B), shall also deduct from the net general revenues the amount  
9 certified and transfer this amount to the Department of Education Public  
10 School Fund Account there to be used exclusively for payment of or  
11 reimbursement for expenses incurred from the Department of Education Public  
12 School Fund Account under any "Desegregation Settlement Agreement".

13 The provisions of this section shall be in effect only from July 1,  
14 2015 through June 30, 2016.

15  
16 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
18 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation  
19 Incentive shall be allocated in accordance with rules and regulations  
20 established by the State Board of Education.

21 The provisions of this section shall be in effect only from July 1, ~~2014~~  
22 2015 through June 30, ~~2015~~ 2016.

23  
24 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
26 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for  
27 Residential Centers/Juvenile Detention shall be allocated in accordance with  
28 rules and regulations established by the State Board of Education.

29 The provisions of this section shall be in effect only from July 1, ~~2014~~  
30 2015 through June 30, ~~2015~~ 2016.

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32 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
34 AUTHORITY. The Commissioner of the Department of Education, with the approval  
35 of the Chief Fiscal Officer of the State and after approval by the Arkansas  
36 Legislative Council or Joint Budget Committee, is hereby authorized to

1 request necessary appropriation transfers and any other budget related  
2 adjustments necessary within the Department of Education. Provided, however,  
3 that the Department of Education shall be limited to submitting no more than  
4 two transfer requests during any fiscal year.

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

21 The provisions of this section shall be in effect only from July 1, ~~2014~~  
22 2015 through June 30, ~~2015~~ 2016.

23

24 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN  
26 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds  
27 authorized herein to the Department of Education for the Quiz Bowl each  
28 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each  
29 fiscal year may be made available to the Department of Education -  
30 Educational Television Division for its documented costs associated with the  
31 Quiz Bowl.

32 The provisions of this section shall be in effect only from July 1, ~~2014~~  
33 2015 through June 30, ~~2015~~ 2016.

34

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

1 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item  
2 "Distressed School District Support" in Section 1 of this Act may be used for  
3 technical assistance offered by the Department of Education to school  
4 districts in academic distress that can include, but is not limited to,  
5 teacher specialists, principal specialists, and other personnel assigned by  
6 the department. These funds may also be used for alternative research-based  
7 technical assistance or programs. Criteria for selecting and approving  
8 alternative research-based technical assistance or programs are to be  
9 promulgated as a rule by the State Board of Education, provided that  
10 alternative staffing and/or compensation programs for teachers shall be  
11 approved by at least a majority of the teachers in the school, schools, or  
12 school district participating in the program.

13 The provisions of this section shall be in effect only from July 1, ~~2014~~  
14 2015 through June 30, ~~2015~~ 2016.

15

16 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

26 The provisions of this section shall be in effect only from July 1, ~~2014~~  
27 2015 through June 30, ~~2015~~ 2016.

28

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

31 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby  
32 authorized to expend a maximum of two percent (2%) of available funds for  
33 administration of the Better Chance Program. Up to 1.8% of available funds  
34 shall be used to administer the program and to monitor program grantees to  
35 ensure compliance with programmatic standards. Prior to the utilization of  
36 the remaining 0.2% of available funds, the Department of Education shall seek

1 prior review and approval of the Arkansas Legislative Council or Joint Budget  
2 Committee by providing a written request to include the following: a) the  
3 Department's reason(s) for the use of the funds and b) the amount of funds  
4 that will be expended. The Department may contract with the Division of Child  
5 Care and Early Childhood Education to administer the program.

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

19 The provisions of this section shall be in effect only from July 1, ~~2014~~  
20 2015 through June 30, ~~2015~~ 2016.

21  
22 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE  
24 TEACHER SALARY. The Arkansas Department of Education is requested to  
25 calculate Average Teacher Salary in the Department's Annual Statistical  
26 Report to not include extra duty funds. Specifically, the Department is  
27 requested to calculate the Average Teacher Salary amount using the National  
28 Education Association definitions for Average Salary for Classroom Teachers.  
29 The Arkansas Department of Education shall submit this data annually to the  
30 National Education Association in accordance with that organization's  
31 deadlines for submission for their report "Rankings and Estimates" which  
32 includes state-by-state teacher salary comparisons.

33 The provisions of this section shall be in effect only from July 1,  
34 2015 through June 30, 2016.

35  
36 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
2 FORWARD. Any unexpended balance of monies allocated for the Arkansas Better  
3 Chance for School Success Program remaining on June 30, ~~2015~~ 2016, in the  
4 Department of Education Public School Fund Account shall be designated and  
5 retained for the Arkansas Better Chance for School Success Program.

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

8 (1) Prior to June 30, ~~2015~~ 2016 the Agency shall by written statement set  
9 forth its reason(s) for the need to carry forward said funding to the  
10 Department of Finance and Administration Office of Budget;

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

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

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

29 The provisions of this section shall be in effect only from July 1, ~~2014~~  
30 2015 through June 30, ~~2015~~ 2016.

31

32 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC  
34 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the  
35 Department of Finance and Administration may use up to eleven dollars and  
36 twenty cents (\$11.20) from each contribution made under Arkansas Code

1 §6-17-1117 (a) to offset the cost of health insurance premiums to eligible  
2 members electing to participate in the public school employees' health  
3 insurance program as a retiree.

4 The provisions of this section shall be in effect only from July 1,  
5 2015 through June 30, 2016.

6  
7 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
9 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State  
10 shall transfer on his books and those of the State Treasurer and the State  
11 Auditor, the sum of two hundred thousand dollars (\$200,000) during each  
12 fiscal year from the Department of Education Public School Fund Account to  
13 the University of Arkansas at Little Rock Fund, specifically to provide  
14 funding for the Arkansas/STRIVE Program. The total amount of funds  
15 transferred each fiscal year pursuant to this section shall not be subject to  
16 any indirect costs by the University of Arkansas at Little Rock.

17 The provisions of this section shall be in effect only from July 1, ~~2014~~  
18 2015 through June 30, ~~2015~~ 2016.

19  
20 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH  
22 INSURANCE. The appropriation contained herein for Public School Employee  
23 Insurance each fiscal year shall be used to provide the state contribution  
24 for insurance premiums for employees of the Cooperative Education Services  
25 Areas, Vocational Centers, and the school operated by the Department of  
26 Correction who participate in the Arkansas Public School Life and Health  
27 Insurance Program.

28 The provisions of this section shall be in effect only from July 1, ~~2014~~  
29 2015 through June 30, ~~2015~~ 2016.

30  
31 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
33 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide  
34 funding for Alternative Learning Environment Programs in excess of the  
35 regulatory limitation of six (6) hours per day for those programs that  
36 operate more than twelve hours per day, in a proportionate manner and upon

1 special request to the Department of Education.

2 The provisions of this section shall be in effect only from July 1, ~~2014~~  
3 2015 through June 30, ~~2015~~ 2016.

4  
5 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
7 FUND RESTRICTIONS. No state funds shall be used for abortion referral in  
8 public schools, or for abortion services. Funds shall be expended in  
9 accordance with Arkansas Code Annotated §6-18-703.

10 The provisions of this section shall be in effect only from July 1, ~~2014~~  
11 2015 through June 30, ~~2015~~ 2016.

12  
13 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
15 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.  
16 Effective for the plan year beginning January 1, ~~2014~~ 2015, if ninety-eight  
17 percent (98%) of the uniform rate of tax used in the calculation of State  
18 Foundation Funding Aid for fiscal year ~~2013-2014~~ 2015-2016 exceeds nine  
19 hundred twenty million seven hundred thirty-one thousand eight hundred  
20 nineteen dollars (\$920,731,819), the Department of Education shall pay up to  
21 fifteen million dollars (\$15,000,000) of the total increase over the nine  
22 hundred twenty million seven hundred thirty-one thousand eight hundred  
23 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the  
24 Department of Finance and Administration in additional health insurance  
25 contributions for eligible employees electing to participate in the public  
26 school employees' health insurance program administered by the State and  
27 Public School Life and Health Insurance Board.

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

33 The provisions of this section shall be in effect only from July 1, ~~2014~~  
34 2015 through June 30, ~~2015~~ 2016.

35  
36 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
2 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget  
3 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in  
4 addition to funds already being provided for the Arkansas Governor's School,  
5 to fund the appropriation authorized from general revenue for the Gifted and  
6 Talented program as appropriated in Section 1 herein. With this additional  
7 funding the duration of the Arkansas Governor's School shall be extended from  
8 four (4) weeks to six (6) weeks.

9 The provisions of this section shall be in effect only from July 1, ~~2014~~  
10 2015 through June 30, ~~2015~~ 2016.

11  
12 *SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
13 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST*  
14 *FUNDING PROVISION. Of the total amount appropriated for Technology Grants*  
15 *each fiscal year, an amount of not less than two million dollars (\$2,000,000)*  
16 *or eighteen percent (18%), whichever is greater each fiscal year, shall be*  
17 *awarded through a grant or professional services contract for EAST*  
18 *infrastructure, personnel, and operating expenses. The EAST infrastructure*  
19 *grant or contract for personal services and operating expenses shall be*  
20 *awarded to an entity that has personnel or experience, or both, in*  
21 *implementing the EAST Initiative.*

22 *The provisions of this section shall be in effect only from July 1, 2015*  
23 *through June 30, 2016.*

24  
25 *SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
26 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*  
27 *INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education*  
28 *shall make available from the Intervention Block Grants appropriation*  
29 *authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal*  
30 *year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred*  
31 *dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for*  
32 *grants up to \$1,000 each for students and chaperones, thirteen thousand five*  
33 *hundred dollars (\$13,500) each fiscal year for Destination Imagination, one*  
34 *hundred thousand dollars (\$100,000) each fiscal year for the State History*  
35 *Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year*  
36 *for a grant to the Arkansas Science Fair Association for grants to regional*

1 and the state science fairs. The Department of Education shall allocate  
 2 General Revenue funding totaling no less than three hundred two thousand  
 3 dollars (\$302,000) each fiscal year from the Department of Education Public  
 4 School Fund Account to support the annual expenses of the Quiz Bowl, the  
 5 Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and  
 6 chaperones, Destination Imagination, the State History Day Competition, and  
 7 the Arkansas Science Fair Association for grants to regional and state  
 8 science fairs. The Department shall either expend or have committed for  
 9 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,  
 10 Inc., Destination Imagination, the State History Day Competition, and  
 11 Arkansas Science Fair Association grants as authorized herein in order to  
 12 fulfill the provisions of this section.

13 The provisions of this section shall be in effect only from July 1,—2014  
 14 2015 through June 30,—2015 2016.

15  
 16 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL  
 18 SCHOOL DISTRICT ISOLATED - BASE FUNDING UNDER CERTAIN CIRCUMSTANCES.

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

25 (1) Either:

26 (A) Sections 6-20-604(b) and (c); or

27 (B) Sections 6-20-604(b) and (d); and

28 (2) Section 6-20-601.

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

36 (1) Sections 6-20-604(e) and (h); or

1                   (2) Section 6-20-604(f).

2  
3           SECTION 31. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
4 authorized by this act shall be limited to the appropriation for such agency  
5 and funds made available by law for the support of such appropriations; and  
6 the 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 32. LEGISLATIVE INTENT. It is the intent of the General  
14 Assembly that any funds disbursed under the authority of the appropriations  
15 contained in this act shall be in compliance with the stated reasons for  
16 which this act was adopted, as evidenced by the Agency Requests, Executive  
17 Recommendations and Legislative Recommendations contained in the budget  
18 manuals prepared by the Department of Finance and Administration, letters, or  
19 summarized oral testimony in the official minutes of the Arkansas Legislative  
20 Council or Joint Budget Committee which relate to its passage and adoption.  
21

22           SECTION 33. EMERGENCY CLAUSE. It is found and determined by the  
23 General Assembly, that the Constitution of the State of Arkansas prohibits  
24 the appropriation of funds for more than a one (1) year period; that the  
25 effectiveness of this Act on July 1, 2015 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 legislative session, the delay in the  
28 effective date of this Act beyond July 1, 2015 could work irreparable harm  
29 upon the proper administration and provision of essential governmental  
30 programs. Therefore, an emergency is hereby declared to exist and this Act  
31 being necessary for the immediate preservation of the public peace, health  
32 and safety shall be in full force and effect from and after July 1, 2015.  
33

34                                   */s/ Joint Budget Committee*

35                                   **APPROVED: 04/02/2015**

36