

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

As Engrossed: H4/3/23

# A Bill

HOUSE BILL 1170

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PUBLIC SCHOOL  
9 FUND GRANTS FOR THE DEPARTMENT OF EDUCATION -  
10 DIVISION OF ELEMENTARY AND SECONDARY EDUCATION -  
11 PUBLIC SCHOOL FUND FOR THE FISCAL YEAR ENDING JUNE  
12 30, 2024; AND FOR OTHER PURPOSES.  
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### Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
16 DIVISION OF ELEMENTARY AND SECONDARY  
17 EDUCATION - PUBLIC SCHOOL FUND  
18 APPROPRIATION FOR THE 2023-2024 FISCAL  
19 YEAR.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND  
26 SPECIAL PROGRAMS. There is hereby appropriated, to the Department of  
27 Education, to be payable from the Division of Elementary and Secondary  
28 Education Public School Fund Account, for grants and aid to local school  
29 districts and special programs of the Department of Education - Division of  
30 Elementary and Secondary Education for the fiscal year ending June 30, 2024,  
31 the following:  
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ITEM	FISCAL YEAR
NO.	2023-2024
(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$34,500,000
(02) ADVANCED PLACEMENT INCENTIVE	1,275,000



1	(03)	ALTERNATIVE LEARNING	35,783,095
2	(04)	ARKANSAS EASTER SEALS	193,113
3	(05)	ASSESSMENT/END OF LEVEL TESTING	20,309,189
4	(06)	AT RISK	1,688,530
5	(07)	BETTER CHANCE PROGRAM	114,000,000
6	(08)	BONDED DEBT ASSISTANCE	28,455,384
7	(09)	COMPUTER SCIENCE INITIATIVE	3,500,000
8	(10)	CONSOLIDATION INCENTIVE	5,981,400
9	(11)	CONTENT STANDARDS	161,000
10	(12)	CONTENTS STANDARDS CURRICULUM	
11		FRAMEWORKS	50,000
12	(13)	COOP EDUCATION TECH CENTERS	1,200,000
13	(14)	COORDINATED SCHOOL HEALTH	2,000,000
14	(15)	DEPT OF CORRECTION	8,702,425
15	(16)	DECLINING ENROLLMENT	13,963,389
16	(17)	DISTANCE LEARNING	4,760,000
17	(18)	DISTANCE LEARNING OPERATIONS	7,575,000
18	(19)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
19	(20)	ECONOMIC EDUCATION	400,000
20	(21)	EDUCATION SERVICE COOPERATIVES	6,129,270
21	(22)	EIDT SPECIAL EDUCATION SERVICES	6,000,000
22	(23)	ENGLISH LANGUAGE LEARNERS	19,075,847
23	(24)	ENHANCED STUDENT ACHIEVEMENT FUNDING	246,723,439
24	(25)	ENHANCED TRANSPORTATION FUNDING	7,200,000
25	(26)	ESA MATCHING GRANT PROGRAM	5,300,000
26	(27)	GIFTED & TALENTED	1,560,381
27	(28)	GRANTS TO SCHOOL DISTRICTS	67,856
28	(29)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
29	(30)	INTERVENTION BLOCK GRANTS	302,000
30	(31)	ISOLATED FUNDING	7,896,000
31	(32)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	1,400,000
32	(33)	MASTER PRINCIPAL BONUS	175,000
33	(34)	NATIONAL BOARD OF PROF TEACHING	
34		STANDARDS	18,738,000
35	(35)	NON-TRADITIONAL LICENSURE	50,000
36	(36)	OE CHARTER FAC FUNDING AID PRG	9,075,000

1	(37)	POSITIVE YOUTH DEVELOPMENT GRANTS	5,000,000
2	(38)	PROFESSIONAL DEVELOPMENT FUNDING	37,175,911
3	(39)	PUBLIC SCHOOL EMPLOYEE INSURANCE	142,000,000
4	(40)	R.I.S.E. ARKANSAS	970,000
5	(41)	RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
6	(42)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
7	(43)	SCHOOL FOOD SERVICES	1,650,000
8	(44)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
9	(45)	SCHOOL FUNDING CONTINGENCY	25,000,000
10	(46)	SCHOOL RECOGNITION	7,000,000
11	(47)	SCHOOL WORKER DEFENSE	390,000
12	(48)	SERIOUS OFFENDER	1,716,859
13	(49)	SMART START/SMART STEP	10,666,303
14	(50)	SPECIAL EDUCATION SERVICES	2,802,527
15	(51)	SPECIAL EDUCATION-CATASTROPHIC	13,998,150
16	(52)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
17	(53)	STATE FOUNDATION FUNDING	2,206,861,456
18	(54)	STUDENT GROWTH	37,690,144
19	(55)	SURPLUS COMMODITIES	1,125,065
20	(56)	TEACHER LICENSING/MENTORING	6,065,758
21	(57)	TEACHER OF THE YEAR	100,000
22	(58)	TEACHER RETIREMENT MATCHING	14,776,754
23	(59)	TEACHER SALARY EQUALIZATION	60,000,000
24	(60)	TECHNOLOGY GRANTS	3,602,678
25	(61)	TECHNOLOGY IMPROVEMENTS	500,000
26	(62)	WORKER'S COMPENSATION	450,000
27	(63)	YOUTH SHELTERS	165,000
28	(64)	MATERNITY LEAVE	3,000,000
29	(65)	MERIT TEACHER INCENTIVE	10,000,000
30	(66)	MINIMUM TEACHER SALARY AND RAISES	<u>190,000,000</u>
31		TOTAL AMOUNT APPROPRIATED	<u>\$3,434,241,080</u>

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33 SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

34 There is hereby established for the Department of Education - Division of  
 35 Elementary and Secondary Education - Arkansas Public School Computer Network  
 36 for the 2023-2024 fiscal year, the following maximum number of regular

1 employees.

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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
(1)	D105C	ADE STATE NETWORK ENGINEER	1	GRADE IT09
(2)	D022N	IT SENIOR PROJECT MANAGER	1	GRADE IT09
(3)	D104C	ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE IT08
(4)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(5)	D042C	DATA WAREHOUSE SPECIALIST	1	GRADE IT06
(6)	D037C	ADE APSCN APPLICATIONS MANAGER	3	GRADE IT05
(7)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
(8)	D055C	ADE APSCN FIELD ANALYST	25	GRADE IT04
(9)	D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
(10)	N047N	ADE APSCN DIRECTOR	1	GRADE GS15
(11)	G012C	ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
(12)	G050C	ADE APSCN DIVISION MANAGER	3	GRADE GS10
(13)	C020C	STUDENT APPLICATIONS SPECIALIST	2	GRADE GS06
<del>(14)</del>	<del>D077C</del>	<del>HELP DESK SPECIALIST</del>	<del>2</del>	<del>GRADE GS05</del>
(15)	C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
MAX. NO. OF EMPLOYEES			45	

SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

There is hereby appropriated, to the Department of Education, to be payable from the Division of Elementary and Secondary Education Public School Fund Account, for personal services and operating expenses of the Department of Education - Division of Elementary and Secondary Education - Arkansas Public School Computer Network for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$2,719,574
(02) PERSONAL SERVICES MATCHING	932,456
(03) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	25,245,839
2	(B) CONF. & TRAVEL	7,250
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	200,000
5	(E) DATA PROC.	0
6	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$29,405,119</u>

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9 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There  
 10 is hereby established for the Department of Education - Division of  
 11 Elementary and Secondary Education - Office of Education Renewal Zones for  
 12 the 2023-2024 fiscal year, the following maximum number of regular employees.

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14		Maximum Annual
15		Salary Rate
16	Item Class	Fiscal Year
17	No. Code Title	2023-2024
18	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3 GRADE GS08
19	(2) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u> GRADE GS04
20	MAX. NO. OF EMPLOYEES	4

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22 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is  
 23 hereby appropriated, to the Department of Education, to be payable from the  
 24 Division of Elementary and Secondary Education Public School Fund Account,  
 25 for personal services, operating expenses, and grants by the Department of  
 26 Education - Division of Elementary and Secondary Education - Office of  
 27 Education Renewal Zones for the fiscal year ending June 30, 2024, the  
 28 following:

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30	ITEM	FISCAL YEAR
31	NO.	2023-2024
32	(01) REGULAR SALARIES	\$168,180
33	(02) PERSONAL SERVICES MATCHING	66,099
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	25,000
36	(B) CONF. & TRAVEL	3,000

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	0
4	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,101,150</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$1,363,429</u>

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7 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.  
9 ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for  
10 R.I.S.E. Arkansas remaining on June 30, ~~2023~~ 2024, in the Division of  
11 Elementary and Secondary Education Public School Fund Account shall be  
12 designated and retained for the R.I.S.E. Arkansas. Any carry forward of  
13 unexpected balance of funding as authorized herein, may be carried forward  
14 under the following conditions:

15 (1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement  
16 set forth its reason(s) for the need to carry forward said funding to the  
17 Department of Finance and Administration Office of Budget;

18 (2) The Department of Finance and Administration Office of Budget shall  
19 report to the Arkansas Legislative Council or Joint Budget Committee all  
20 amounts carried forward by the September Arkansas Legislative Council or  
21 Joint Budget Committee meeting which report shall include the name of the  
22 Agency, Board, Commission or Institution and the amount of the funding  
23 carried forward, the program name or line item, the funding source of that  
24 appropriation and a copy of the written request set forth in item (1) above;

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

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

1 The provisions of this section shall be in effect only from July 1, ~~2022~~  
2 2023 through June 30, ~~2023~~ 2024.

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4 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
6 FUND ALLOCATION. The appropriation for the Isolated Funding line item in the  
7 Grants and Aid to Local School Districts and Special Programs section of this  
8 Act may be fully funded. Any funding and appropriation for Isolated Funding  
9 that is not utilized shall be transferred to the appropriation for Special  
10 Needs Isolated Funding in the Grants and Aid to Local School Districts and  
11 Special Programs section of this Act and shall be used there for fully  
12 funding each subsection (c) through (f) of Arkansas Code § 6-20-604 on a pro  
13 rata basis until the available funds are exhausted. Pro rata basis is defined  
14 as providing each district qualifying for additional funding under  
15 subsections (c) through (f) a proportionate share based on how each  
16 district's additional funding amount bears to the total additional funding  
17 amounts for all qualifying districts. If any funding and appropriation  
18 remains after funding each subsection (c) through (f) of Arkansas Code § 6-  
19 20-604 the remaining balance shall be used to fund the provisions of Arkansas  
20 Code § 6-20-604 (h) on an equal basis until the available funds are  
21 exhausted.

22 The provisions of this section shall be in effect only from July 1, ~~2022~~  
23 2023 through June 30, ~~2023~~ 2024.

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25 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
27 GRANTS TO SCHOOL DISTRICTS. For the purposes of distributing the Grants To  
28 School Districts appropriation in the Grants and Aid to Local School  
29 Districts and Special Programs section of this Act, "school district" means a  
30 school district which contracts with a school district in an adjoining state  
31 for the education of some of the pupils within the Arkansas school district  
32 because the portion of the school district wherein such pupils live is  
33 completely separated from the remainder of the school district by a reservoir  
34 covering at least 12,000 acres at normal water level, and where to attend  
35 school in their own district, the pupils of said portion would be required to  
36 travel or to be transported a distance (measured by the nearest highway or

1 road route) of more than 35 miles round trip and pass through another school  
2 district or districts. The Department of Education shall distribute the  
3 monies appropriated for Grants to School Districts in the Grants and Aid to  
4 Local School Districts and Special Programs section of this Act to such  
5 school districts as reimbursement for expenses incurred in educating the  
6 pupils residing in the separated portion of the school district. The payments  
7 are to be limited to the amount of available appropriation. Such school  
8 districts shall file a request for reimbursement with the Department of  
9 Education and provide the Department of Education with such documentation as  
10 is deemed necessary.

11 The provisions of this section shall be in effect only from July 1, ~~2022~~  
12 2023 through June 30, ~~2023~~ 2024.

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14 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
16 SPECIAL EDUCATION SERVICES. The funds appropriated in the line item "Special  
17 Education Services" in the Grants and Aid to Local School Districts and  
18 Special Programs section of this Act shall be used to provide extended year  
19 summer programs for handicapped students in need of such services, to provide  
20 special education services to foster children who are wards of the State, and  
21 to provide funds for the payment of salaries of special education  
22 supervisors. The Department of Education shall distribute such funds in the  
23 manner necessary to carry out the intent of this Section.

24 The provisions of this section shall be in effect only from July 1, ~~2022~~  
25 2023 through June 30, ~~2023~~ 2024.

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27 SECTION 10. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 6,  
28 Chapter 13, Subchapter 14, is amended to add an additional section to codify  
29 special language in appropriation acts to read as follows:

30 6-13-1418. Consolidation incentive.

31 An appropriation for consolidation incentive shall be allocated to a  
32 resulting district or a receiving district, respectively, according to rules  
33 promulgated by the State Board of Education.

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35 SECTION 11. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-20-  
36 107, concerning educational costs related to the placement of juveniles in

1 residential or inpatient facilities, is amended to add an additional  
2 subsection to codify special language in appropriation acts to read as  
3 follows:

4 (g) The funds appropriated to the division for residential or  
5 inpatient facilities shall be allocated in accordance with rules promulgated  
6 by the State Board of Education.

7  
8 SECTION 12. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-20-  
9 104, concerning reimbursement for educational services provided in juvenile  
10 detention facilities, is amended to add an additional subsection to read as  
11 follows:

12 (d) The funds appropriated to the division for juvenile detention  
13 facilities shall be allocated in accordance with rules promulgated by the  
14 State Board of Education.

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16 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
18 TRANSFER AUTHORITY. The Commissioner of the Department of Education, with the  
19 approval of the Chief Fiscal Officer of the State and after approval by the  
20 Arkansas Legislative Council or Joint Budget Committee, is hereby authorized  
21 to request necessary appropriation transfers and any other budget related  
22 adjustments necessary within the Department of Education. Provided, however,  
23 that the Department of Education shall be limited to submitting no more than  
24 two transfer requests during any fiscal year.

25 Determining the maximum number of employees and the maximum amount of  
26 appropriation and general revenue funding for a state agency each fiscal year  
27 is the prerogative of the General Assembly. This is usually accomplished by  
28 delineating such maximums in the appropriation act(s) for a state agency and  
29 the general revenue allocations authorized for each fund and fund account by  
30 amendment to the Revenue Stabilization law. Further, the General Assembly  
31 has determined that the Department of Education may operate more efficiently  
32 if some flexibility is provided to the Commissioner of the Department of  
33 Education authorizing broad powers under the Transfer Authority provision  
34 herein. Therefore, it is both necessary and appropriate that the General  
35 Assembly maintain oversight by requiring prior approval of the Legislative  
36 Council or Joint Budget Committee as provided by this section. The

1 requirement of approval by the Legislative Council or Joint Budget Committee  
2 is not a severable part of this section. If the requirement of approval by  
3 the Legislative Council or Joint Budget Committee is ruled unconstitutional  
4 by a court jurisdiction, this entire section is void.

5 The provisions of this section shall be in effect only from July 1, ~~2022~~  
6 2023 through June 30, ~~2023~~ 2024.

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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 AETN DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and  
11 funds authorized herein to the Department of Education for the Quiz Bowl each  
12 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each  
13 fiscal year may be made available to the Department of Education -  
14 Educational Television Division for its documented costs associated with the  
15 Quiz Bowl.

16 The provisions of this section shall be in effect only from July 1, ~~2022~~  
17 2023 through June 30, ~~2023~~ 2024.

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19 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

29 The provisions of this section shall be in effect only from July 1, ~~2022~~  
30 2023 through June 30, ~~2023~~ 2024.

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

34 BETTER CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is  
35 hereby authorized to expend a maximum of two percent (2%) of available funds  
36 for administration of the Better Chance Program. Up to 1.8% of available

1 funds shall be used to administer the program and to monitor program grantees  
2 to ensure compliance with programmatic standards. Prior to the utilization of  
3 the remaining 0.2% of available funds, the Department of Education shall seek  
4 prior review and approval of the Arkansas Legislative Council or Joint Budget  
5 Committee by providing a written request to include the following: a) the  
6 Department's reason(s) for the use of the funds and b) the amount of funds  
7 that will be expended. The Department may contract with the Division of  
8 Elementary and Secondary Education to administer the program.

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

22 The provisions of this section shall be in effect only from July 1, ~~2022~~  
23 2023 through June 30, ~~2023~~ 2024.

24  
25 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

27 AVERAGE TEACHER SALARY. The Arkansas Department of Education is requested to  
28 calculate Average Teacher Salary in the Department's Annual Statistical  
29 Report to not include extra duty funds. Specifically, the Department is  
30 requested to calculate the Average Teacher Salary amount using the National  
31 Education Association definitions for Average Salary for Classroom Teachers.  
32 The Arkansas Department of Education shall submit this data annually to the  
33 National Education Association in accordance with that organization's  
34 deadlines for submission for their report "Rankings and Estimates" which  
35 includes state-by-state teacher salary comparisons.

36 The provisions of this section shall be in effect only from July 1, ~~2022~~

1 2023 through June 30, ~~2023~~ 2024.

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

5 CARRY FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies  
6 allocated for the Arkansas Better Chance for School Success Program remaining  
7 on June 30, ~~2023~~ 2024, in the Division of Elementary and Secondary Education  
8 Public School Fund Account shall be designated and retained for the Arkansas  
9 Better Chance for School Success Program.

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

12 (1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement set  
13 forth its reason(s) for the need to carry forward said funding to the  
14 Department of Finance and Administration Office of Budget;

15 (2) The Department of Finance and Administration Office of Budget shall  
16 report to the Arkansas Legislative Council or Joint Budget Committee all  
17 amounts carried forward by the September Arkansas Legislative Council or  
18 Joint Budget Committee meeting which report shall include the name of the  
19 Agency, Board, Commission or Institution and the amount of the funding  
20 carried forward, the program name or line item, the funding source of that  
21 appropriation and a copy of the written request 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 budget manuals and/or a  
32 statement of non-compliance by the Agency, Board, Commission or Institution.

33 The provisions of this section shall be in effect only from July 1, ~~2022~~  
34 2023 through June 30, ~~2023~~ 2024.

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36 SECTION 19. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 21-5-

1 415, concerning nonpayment of premiums and the failure to file reports by a  
2 state agency or school district, is amended to add an additional subsection  
3 to codify special language in appropriation acts to read as follows:

4 (d) The division may use up to eleven dollars and twenty cents  
5 (\$11.20) from each contribution made under § 6-17-1117(a) to offset the cost  
6 of health insurance premiums to eligible members electing to participate in  
7 the public school employees' health insurance program as a retiree.

8  
9 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State  
12 shall transfer on his books and those of the State Treasurer and the State  
13 Auditor, the sum of two hundred thousand dollars (\$200,000) during each  
14 fiscal year from the Division of Elementary and Secondary Education Public  
15 School Fund Account to the University of Arkansas at Little Rock Fund,  
16 specifically to provide funding for the Arkansas/STRIVE Program. The total  
17 amount of funds transferred each fiscal year pursuant to this section shall  
18 not be subject to any indirect costs by the University of Arkansas at Little  
19 Rock.

20 The provisions of this section shall be in effect only from July 1, ~~2022~~  
21 2023 through June 30, ~~2023~~ 2024.

22  
23 SECTION 21. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-17-  
24 1117(b)(1), concerning the amount paid by the Division of Elementary and  
25 Secondary Education to the Employee Benefits Division for purposes of the  
26 public school employees' health insurance program, is amended to codify  
27 special language in appropriation acts to read as follows:

28 (b)(1)(A) The Division of Elementary and Secondary Education shall pay  
29 the Employee Benefits Division the amount established by the House Committee  
30 on Education and the Senate Committee on Education through the biennial  
31 adequacy review process required by § 10-3-2102, factored according to the  
32 medical component of the Consumer Price Index for All Urban Consumers, for  
33 each eligible employee electing to participate in the public school  
34 employees' health insurance program administered by the State Board of  
35 Finance.

36 (B) In addition to the amount paid by the Division of

1 Elementary and Secondary Education for eligible employees electing to  
2 participate in the public school employees' health insurance program, the  
3 amount paid by the Division of Elementary and Secondary Education to the  
4 Employee Benefits Division under this section shall include amounts  
5 appropriated to be used to provide contributions for insurance premiums for  
6 employees of the following who are participating in the State and Public  
7 School Life and Health Insurance Program:

8 (i) An education service cooperative;

9 (ii) A vocational center; and

10 (iii) The Arkansas Correctional School District.

11  
12 SECTION 22. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-48-  
13 104(a)(1), concerning the promulgation of rules regarding the funding of  
14 alternative learning environment programs by the Division of Elementary and  
15 Secondary Education, is amended to add an additional subdivision to codify  
16 special language in appropriation acts to read as follows:

17 (D) The division may provide funding in a proportionate  
18 manner and upon special request to the division by a school district for an  
19 alternative learning environment program in excess of the limit of six (6)  
20 hours per day for alternative learning environment programs that operate for  
21 more than twelve (12) hours per day.

22  
23 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

25 ARKANSAS GOVERNOR'S SCHOOL FUNDING. The Department of Education shall  
26 allocate, budget and commit for expenditure two hundred fifty thousand  
27 dollars (\$250,000), in addition to funds already being provided for the  
28 Arkansas Governor's School, to fund the appropriation authorized from general  
29 revenue for the Gifted and Talented program as appropriated in the Grants and  
30 Aid to Local School Districts and Special Programs section herein. With this  
31 additional funding either the department shall increase the number of grants  
32 for AEGIS summer enrichment programs, or the duration of the Arkansas  
33 Governor's School shall be extended from four (4) weeks to six (6) weeks.

34 The provisions of this section shall be in effect only from July 1, ~~2022~~  
35 2023 through June 30, ~~2023~~ 2024.

36

1 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
3 EAST FUNDING PROVISION. Of the total amount appropriated for Technology  
4 Grants each fiscal year, an amount of not less than three million five  
5 thousand dollars (\$3,005,000) or eighteen percent (18%), whichever is greater  
6 each fiscal year, shall be awarded through a grant or professional services  
7 contract for the EAST Initiative. Not less than one million dollars  
8 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or  
9 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST  
10 Initiatives shall be used for EAST infrastructure and personnel growth for  
11 the establishment of new programs. The remaining funding shall be used for  
12 existing EAST infrastructure, personnel, and operating expenses of the EAST  
13 Initiative. The EAST infrastructure grant or contract for personal services  
14 and operating expenses shall be awarded to an entity that has personnel or  
15 experience, or both, in implementing the EAST Initiative.

16 The provisions of this section shall be in effect only from July 1, ~~2022~~  
17 2023 through June 30, ~~2023~~ 2024.

18  
19 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
21 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education  
22 shall make available from the Intervention Block Grants appropriation  
23 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal  
24 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred  
25 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for  
26 grants up to \$1,000 each for students and chaperones, thirteen thousand five  
27 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one  
28 hundred thousand dollars (\$100,000) each fiscal year for the State History  
29 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year  
30 for a grant to the Arkansas Science Fair Association for grants to regional  
31 and the state science fairs. The Department of Education shall allocate  
32 General Revenue funding totaling no less than three hundred two thousand  
33 dollars (\$302,000) each fiscal year from the Division of Elementary and  
34 Secondary Education Public School Fund Account to support the annual expenses  
35 of the Quiz Bowl, the Creativity in Arkansas, Inc. for grants up to \$1,000  
36 each for students and chaperones, Destination Imagination, the State History

1 Day Competition, and the Arkansas Science Fair Association for grants to  
2 regional and state science fairs. The Department shall either expend or have  
3 committed for expenditure the monies allocated for the Quiz Bowl, Creativity  
4 in Arkansas, Inc., Destination Imagination, the State History Day  
5 Competition, and Arkansas Science Fair Association grants as authorized  
6 herein in order to fulfill the provisions of this section.

7 The provisions of this section shall be in effect only from July 1, ~~2022~~  
8 2023 through June 30, ~~2023~~ 2024.

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 PROFESSIONAL DEVELOPMENT.

13 (a) Of the total amount appropriated for Professional Development  
14 Funding, three million five hundred thousand dollars (\$3,500,000) may be  
15 authorized by the Commissioner of the Department of Education to be used by  
16 the Department of Education to develop and implement statewide professional  
17 development support systems for teachers that will benefit student  
18 achievement.

19 (b)(1) The Department of Education shall annually report the following  
20 information concerning the Arkansas Online Professional Development  
21 Initiative under § 6-17-707:

- 22 (1) Annual expenditure information;  
23 (2) Statistical information pertaining to users of the  
24 initiative;  
25 (3) Course offerings;  
26 (4) Course hours completed; and  
27 (5) Certificates awarded.

28 (2) The report under subsection (b)(1) of this section shall be  
29 annually submitted by August 1 to the:

- 30 (1) Governor;  
31 (2) Legislative Council or, if the General Assembly is  
32 in session, the Joint Budget Committee;  
33 (3) Senate Committee on Education;  
34 (4) House Committee on Education; and  
35 (5) Department of Finance and Administration.

36 (c) The provisions of this section shall be in effect only from July 1,

1 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2

3 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 ~~NSL~~ ESA MATCHING GRANT PROGRAM.

6 (a)(1) Of the appropriation and funding for the ~~NSL~~ ESA MATCHING GRANT  
7 PROGRAM Item in the Grants and Aid to Local School Districts and Special  
8 Programs section of this Act, five million three hundred thousand dollars  
9 (\$5,300,000) shall be set aside by the Department of Education and shall be  
10 used for school district expenditures for evidence-based programs to improve  
11 academic achievement of identified national school lunch students.

12 (2) These programs shall be limited to:

13 (A) Tutors as set out in § 6-20-2305(b)(4)(C)(i)(b)(4);

14 (B) Before-school academic programs and after-school academic  
15 programs, including transportation to and from the programs  
16 under § 6-20-2305(b)(4)(C)(i)(b)(2); and

17 (C) Prekindergarten programs under § 6-20-2305(b)(4)(C)(i)(b)(3).

18 (b)(1) Set aside funds authorized in subsection (a) of this section  
19 shall be distributed to school districts on a dollar for dollar matching  
20 basis of school district expenditures for programs under subsection (a) of  
21 this section on a pro rata basis until the available funds are exhausted.

22 (2) As used in this subsection, "pro rata basis" means providing  
23 each district qualifying for additional funding in a proportionate share  
24 based on how each district's expenditure bears to the total of funding  
25 provided in subsection (a) of this section for all qualifying districts as  
26 determined by the Department of Education.

27 (c) If any funding remains after funding subsection (b) of this  
28 section, that remaining balance shall be carried over to the following fiscal  
29 year for the same purposes as provided in this section.

30 (d) The Department of Education shall adopt rules as necessary to  
31 implement this section.

32 (e) The provisions of this section shall be in effect only from July 1,  
33 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

34

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

1 R.I.S.E. ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in  
2 the Grants and Aid to Local School Districts and Special Programs section of  
3 this Act shall be used for the coordination of a statewide reading campaign  
4 with community partners, parents, and teachers to establish the importance of  
5 reading in homes, schools, and communities.

6 The provisions of this section shall be in effect only from July 1,  
7 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

8

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

11 ENHANCED STUDENT ACHIEVEMENT FUNDING NAME CHANGE. Any appropriation titled  
12 "ENHANCED STUDENT ACHIEVEMENT FUNDING" or abbreviated as "ESA" as named by  
13 SB605 of 2019 may also be known as "NATIONAL SCHOOL LUNCH" funding or  
14 abbreviated as "NSL" and shall be used for the same purposes as set out in  
15 law.

16 The provisions of this section shall be in effect only from July 1, ~~2022~~  
17 2023 through June 30, ~~2023~~ 2024.

18

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

21 ARKANSAS GOVERNOR'S SCHOOL CURRICULUM. Prior to the beginning of the  
22 Arkansas Governor's School Program each year, the Arkansas Department of  
23 Education shall review and approve the proposed curriculum for the program  
24 year and shall maintain oversight of its implementation for consistency and  
25 accuracy.

26 The provisions of this section shall be in effect only from July 1,  
27 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

28

29 SECTION 31. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
30 authorized by this act shall be limited to the appropriation for such agency  
31 and funds made available by law for the support of such appropriations; and  
32 the restrictions of the State Procurement Law, the General Accounting and  
33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
34 Procedures and Restrictions Act, or their successors, and other fiscal  
35 control laws of this State, where applicable, and regulations promulgated by  
36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

2  
3 SECTION 32. LEGISLATIVE INTENT. It is the intent of the General  
4 Assembly that any funds disbursed under the authority of the appropriations  
5 contained in this act shall be in compliance with the stated reasons for  
6 which this act was adopted, as evidenced by the Agency Requests, Executive  
7 Recommendations and Legislative Recommendations contained in the budget  
8 manuals prepared by the Department of Finance and Administration, letters, or  
9 summarized oral testimony in the official minutes of the Arkansas Legislative  
10 Council or Joint Budget Committee which relate to its passage and adoption.

11  
12 SECTION 33. EMERGENCY CLAUSE. It is found and determined by the  
13 General Assembly, that the Constitution of the State of Arkansas prohibits  
14 the appropriation of funds for more than a one (1) year period; that the  
15 effectiveness of this Act on July 1, 2023 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the legislative session, the delay in the  
18 effective date of this Act beyond July 1, 2023 could work irreparable harm  
19 upon the proper administration and provision of essential governmental  
20 programs. Therefore, an emergency is hereby declared to exist and this Act  
21 being necessary for the immediate preservation of the public peace, health  
22 and safety shall be in full force and effect from and after July 1, 2023.

23  
24 /s/Joint Budget Committee

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26  
27 **APPROVED: 4/11/23**  
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