

1 State of Arkansas  
2 92nd General Assembly  
3 Fiscal Session, 2020  
4

# A Bill

SENATE BILL 56

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF  
10 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2021;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION  
15 APPROPRIATION FOR THE 2020-2021 FISCAL  
16 YEAR.  
17  
18  
19

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

22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby  
23 established for the Department of Education for the 2020-2021 fiscal year,  
24 the following maximum number of regular employees.  
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	SC004	SECRETARY OF EDUCATION	<u>1</u>	GRADE SE05
		MAX. NO. OF EMPLOYEES	1	

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33 SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is  
34 hereby appropriated, to the Department of Education, to be payable from the  
35 paying account as determined by the Chief Fiscal Officer of the State, for  
36 personal services and operating expenses of the Department of Education -



1 Shared Services for the fiscal year ending June 30, 2021, the following:

2	3 ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2020-2021</u>
5	(01) REGULAR SALARIES	\$239,361
6	(02) PERSONAL SERVICES MATCHING	50,391
7	(03) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	0
9	(B) CONF. & TRAVEL	0
10	(C) PROF. FEES	0
11	(D) CAP. OUTLAY	0
12	(E) DATA PROC.	0
13	(04) SHARED SERVICES PROGRAMS	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$289,752</u></u>

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16 SECTION 3. REGULAR SALARIES. There is hereby established for the  
 17 Department of Education for the 2020-2021 fiscal year, the following maximum  
 18 number of regular employees.

19

20		Maximum Annual
21		Salary Rate
22	Item Class	Fiscal Year
23	<u>No. Code Title</u>	<u>2020-2021</u>
		<u>Employees</u>
24	(1) U033U COMMISSIONER OF EDUCATION	1 GRADE SE05
25	(2) U027U DEPUTY COMMISSIONER OF EDUCATION	1 GRADE SE03
26	(3) N005N ADE ASST COMMISSIONER LEARNING SERVICES	1 GRADE SE01
27	(4) N006N ADE ASST COMMISSIONER PUB SCH ACCOUNTING	1 GRADE SE01
28	(5) D011N ADE DIRECTOR OF INFORMATION SYSTEMS	1 GRADE SE01
29	(6) N009N ASST COMMISSIONER FISCAL & ADMIN SVC	1 GRADE SE01
30	(7) N008N ASST COMMISSIONER RESEARCH & TECHNOLOGY	1 GRADE SE01
31	(8) N010N ASST COMMR EDUC EFFECTIVENESS	1 GRADE SE01
32	(9) L027C REGISTERED NURSE SUPERVISOR	1 GRADE MP02
33	(10) E007N ADE DIRECTOR OF COMPUTER SCIENCE	1 GRADE IT09
34	(11) D104C ADE STATE SYSTEMS ADMINISTRATOR	4 GRADE IT08
35	(12) D030C INFORMATION SYSTEMS COORDINATOR	2 GRADE IT07
36	(13) D038C SENIOR SOFTWARE SUPPORT ANALYST	1 GRADE IT06

1	(14)	D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
2	(15)	D047C INFORMATION SYSTEMS BUSINESS ANALYST	3	GRADE IT05
3	(16)	D052C SOFTWARE SUPPORT ANALYST	1	GRADE IT05
4	(17)	D044C SYSTEMS ANALYST	1	GRADE IT05
5	(18)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
6	(19)	G001N ADE LITIGATION ATTORNEY	1	GRADE GS15
7	(20)	G281C ADE POLICY & SPECIAL PROJECTS DIRECTOR	1	GRADE GS15
8	(21)	E072C DIRECTOR OF COMPUTER SCIENCE AND STEM	1	GRADE GS15
9	(22)	N069N ADE SPECIAL ADVISOR	7	GRADE GS14
10	(23)	E003N ADE COORD SCH. IMP/STANDARDS ASSURANCE	1	GRADE GS13
11	(24)	E001N ADE COORDINATOR SPECIAL PROGRAMS	1	GRADE GS13
12	(25)	A010C AGENCY CONTROLLER II	1	GRADE GS13
13	(26)	G012C ADE ASSISTANT TO DIRECTOR	8	GRADE GS12
14	(27)	G006C ADE SPECIAL EDUCATION DIVISION MGR	1	GRADE GS12
15	(28)	A021C AGENCY CONTROLLER I	1	GRADE GS12
16	(29)	G025C ATTORNEY SUPERVISOR	1	GRADE GS12
17	(30)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
18	(31)	E006N ADE COORD COMPUTER SCIENCE	1	GRADE GS11
19	(32)	N149N ADE COORD FISCAL DISTRESS	1	GRADE GS11
20	(33)	E069C ADE DIRECTOR OF MEDICAID IN SCHOOLS	1	GRADE GS11
21	(34)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
22	(35)	E006C PUBLIC SCHOOL PROGRAM MANAGER	15	GRADE GS11
23	(36)	E007C ADE OERZ DIRECTOR	1	GRADE GS10
24	(37)	G075C ADE PROGRAM ADMINISTRATOR	3	GRADE GS10
25	(38)	E016C PUBLIC SCHOOL PROGRAM COORDINATOR	20	GRADE GS10
26	(39)	A052C ACCOUNTING COORDINATOR	6	GRADE GS09
27	(40)	R009C ADE BUDGET MANAGER	1	GRADE GS09
28	(41)	G074C ADE COORD OF GOVERNMENTAL AFFAIRS	1	GRADE GS09
29	(42)	A032C ADE FINANCE PROGRAM COORDINATOR	2	GRADE GS09
30	(43)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
31	(44)	A038C FISCAL SUPPORT MANAGER	5	GRADE GS09
32	(45)	G109C GRANTS MANAGER	2	GRADE GS09
33	(46)	P004C PUBLIC INFORMATION MANAGER	3	GRADE GS09
34	(47)	E019C PUBLIC SCHOOL PROGRAM ADVISOR	107	GRADE GS09
35	(48)	E066C DCCECE EDUCATION MANAGER	1	GRADE GS08
36	(49)	L043C HEALTH PROGRAM SPECIALIST III	1	GRADE GS08

1	(50)	L035C NUTRITIONIST CONSULTANT	9	GRADE GS08
2	(51)	G093C OPERATIONS MANAGER	5	GRADE GS08
3	(52)	R014C PERSONNEL MANAGER	1	GRADE GS08
4	(53)	A041C PROGRAM FISCAL MANAGER	6	GRADE GS08
5	(54)	A089C ACCOUNTANT I	1	GRADE GS07
6	(55)	G267C DHS PROGRAM ELIGIBILITY ANALYST	1	GRADE GS07
7	(56)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
8	(57)	A075C FINANCIAL ANALYST I	1	GRADE GS07
9	(58)	G147C GRANTS COORDINATOR	1	GRADE GS07
10	(59)	P020C PRODUCTION ARTIST	1	GRADE GS07
11	(60)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
12	(61)	C037C ADMINISTRATIVE ANALYST	15	GRADE GS06
13	(62)	M053C CHILD CARE SERVICE SPECIALIST	5	GRADE GS06
14	(63)	A074C FISCAL SUPPORT SUPERVISOR	4	GRADE GS06
15	(64)	G180C GRANTS ANALYST	2	GRADE GS06
16	(65)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
17	(66)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
18	(67)	G178C POLICY DEVELOPMENT COORDINATOR	3	GRADE GS06
19	(68)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
20	(69)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
21	(70)	V014C BUYER	1	GRADE GS05
22	(71)	A091C FISCAL SUPPORT ANALYST	4	GRADE GS05
23	(72)	D077C HELP DESK SPECIALIST	1	GRADE GS05
24	(73)	S033C MAINTENANCE SUPERVISOR	1	GRADE GS06
25	(74)	C056C ADMINISTRATIVE SPECIALIST III	38	GRADE GS04
26	(75)	R036C HUMAN RESOURCES SPECIALIST	2	GRADE GS04
27	(76)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
28	(77)	C046C LEGAL SUPPORT SPECIALIST	1	GRADE GS04
29	(78)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
30	(79)	C073C ADMINISTRATIVE SPECIALIST II	<u>22</u>	GRADE GS03
31		MAX. NO. OF EMPLOYEES	357	

32

33 SECTION 4. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,  
 34 for the Department of Education - State Operations for the 2020-2021 fiscal  
 35 year, the following maximum number of part-time or temporary employees, to be  
 36 known as "Extra Help", payable from funds appropriated herein for such

1 purposes: eight (8) temporary or part-time employees, when needed, at rates  
 2 of pay not to exceed those provided in the Uniform Classification and  
 3 Compensation Act, or its successor, or this act for the appropriate  
 4 classification.

5  
 6 SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby  
 7 appropriated, to the Department of Education, to be payable from the Division  
 8 of Elementary and Secondary Education Fund Account, for personal services and  
 9 operating expenses of the Department of Education - State Operations for the  
 10 fiscal year ending June 30, 2021, the following:

11

12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2020-2021</u>
14 (01) REGULAR SALARIES	\$15,480,815
15 (02) EXTRA HELP	160,000
16 (03) PERSONAL SERVICES MATCHING	4,774,437
17 (04) MAINT. & GEN. OPERATION	
18 (A) OPER. EXPENSE	3,479,443
19 (B) CONF. & TRAVEL	100,000
20 (C) PROF. FEES	100,000
21 (D) CAP. OUTLAY	100,000
22 (E) DATA PROC.	<u>0</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$24,194,695</u>

24  
 25 SECTION 6. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. There is  
 26 hereby appropriated, to the Department of Education, to be payable from the  
 27 federal funds as designated by the Chief Fiscal Officer of the State, for  
 28 personal services and operating expenses of the Department of Education -  
 29 Federal Grants Administration of the Department of Education for the fiscal  
 30 year ending June 30, 2021, the following:

31

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2020-2021</u>
34 (01) REGULAR SALARIES	\$517,226
35 (02) PERSONAL SERVICES MATCHING	155,196
36 (03) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	49,970
2	(B) CONF. & TRAVEL	19,672
3	(C) PROF. FEES	260,000
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,002,064</u></u>

7

8 SECTION 7. APPROPRIATION - BUILDING MAINTENANCE. There is hereby

9 appropriated, to the Department of Education, to be payable from the

10 Educational Buildings Maintenance Fund, for operating expenses of the

11 Department of Education - Building Maintenance for the fiscal year ending

12 June 30, 2021, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2020-2021</u>
16	(01) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	\$500,000
18	(B) CONF. & TRAVEL	0
19	(C) PROF. FEES	0
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	<u>0</u>
22	TOTAL AMOUNT APPROPRIATED	<u><u>\$500,000</u></u>

23

24 SECTION 8. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There

25 is hereby appropriated, to the Department of Education, to be payable from

26 the Education Revolving Loan Certificates Fund, for personal services and

27 operating expenses of the Department of Education - Revolving Loan

28 Certificates Program for the fiscal year ending June 30, 2021, the following:

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2020-2021</u>
32	(01) REGULAR SALARIES	\$45,029
33	(02) PERSONAL SERVICES MATCHING	15,042
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	27,500
36	(B) CONF. & TRAVEL	2,500

1	(C) PROF. FEES	10,000
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	0
4	(04) LOANS TO SCHOOL DISTRICTS	<u>13,000,000</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$13,100,071</u>

6

7 SECTION 9. APPROPRIATION - CHILD NUTRITION PROGRAM. There is hereby  
 8 appropriated, to the Department of Education, to be payable from the federal  
 9 funds as designated by the Chief Fiscal Officer of the State, for personal  
 10 services and operating expenses of the Department of Education - Child  
 11 Nutrition Program for the fiscal year ending June 30, 2021, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2020-2021</u>
15	(01) REGULAR SALARIES	\$1,106,752
16	(02) PERSONAL SERVICES MATCHING	361,730
17	(03) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	1,172,100
19	(B) CONF. & TRAVEL	52,600
20	(C) PROF. FEES	156,400
21	(D) CAP. OUTLAY	50,000
22	(E) DATA PROC.	0
23	(04) SCHOOL FOOD SERVICE/NUTRITION ED	225,000,000
24	(05) REFUNDS/REIMBURSEMENTS	<u>450,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$228,349,582</u>

26

27 SECTION 10. EXTRA HELP - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.  
 28 There is hereby authorized, for the Department of Education - Federal  
 29 Elementary and Secondary Education for the 2020-2021 fiscal year, the  
 30 following maximum number of part-time or temporary employees, to be known as  
 31 "Extra Help", payable from funds appropriated herein for such purposes:  
 32 three (3) temporary or part-time employees, when needed, at rates of pay not  
 33 to exceed those provided in the Uniform Classification and Compensation Act,  
 34 or its successor, or this act for the appropriate classification.

35

36 SECTION 11. APPROPRIATION - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.

1 There is hereby appropriated, to the Department of Education, to be payable  
 2 from the federal funds as designated by the Chief Fiscal Officer of the  
 3 State, for personal services and operating expenses of the Department of  
 4 Education - Federal Elementary and Secondary Education for the fiscal year  
 5 ending June 30, 2021, the following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2020-2021</u>
9 (01) REGULAR SALARIES	\$2,814,013
10 (02) EXTRA HELP	10,000
11 (03) PERSONAL SERVICES MATCHING	882,802
12 (04) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	8,975,900
14 (B) CONF. & TRAVEL	710,500
15 (C) PROF. FEES	12,851,105
16 (D) CAP. OUTLAY	200,000
17 (E) DATA PROC.	0
18 (05) ENTITLEMENT GRANT PROGRAMS	496,095,368
19 (06) REFUNDS/REIMBURSEMENTS	<u>1,110,000</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$523,649,688</u>

21  
 22 SECTION 12. APPROPRIATION - MULTIPLE GRANT AWARD PROGRAM. There is  
 23 hereby appropriated, to the Department of Education, to be payable from the  
 24 cash fund deposited in the State Treasury as determined by the Chief Fiscal  
 25 Officer of the State, for operating expenses and grants by the Department of  
 26 Education - Multiple Grant Award Program for the fiscal year ending June 30,  
 27 2021, the following:

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2020-2021</u>
31 (01) MAINT. & GEN. OPERATION	
32 (A) OPER. EXPENSE	\$122,000
33 (B) CONF. & TRAVEL	16,500
34 (C) PROF. FEES	40,000
35 (D) CAP. OUTLAY	100,000
36 (E) DATA PROC.	0



1	(02) MULTIPLE GRANT AWARDS	<u>1,000,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,278,500</u></u>

3

4 SECTION 13. APPROPRIATION - MEDICAID REIMBURSEMENT PROGRAM. There is

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

6 cash fund deposited in the State Treasury as determined by the Chief Fiscal

7 Officer of the State, for Medicaid reimbursement and administration of the

8 Department of Education - Medicaid Reimbursement Program for the fiscal year

9 ending June 30, 2021, the following:

10		
11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2020-2021</u>
13	(01) REFUNDS/REIMBURSEMENTS	\$13,659,017
14	(02) MEDICAID ADMIN	<u>10,500</u>
15	TOTAL AMOUNT APPROPRIATED	<u><u>\$13,669,517</u></u>

16

17 SECTION 14. APPROPRIATION - ALTERNATIVE CERTIFICATION PROGRAM. There

18 is hereby appropriated, to the Department of Education, to be payable from

19 the cash fund deposited in the State Treasury as determined by the Chief

20 Fiscal Officer of the State, for operating expenses and grants by the

21 Department of Education - Alternative Certification Program for the fiscal

22 year ending June 30, 2021, the following:

23		
24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2020-2021</u>
26	(01) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	\$227,367
28	(B) CONF. & TRAVEL	8,500
29	(C) PROF. FEES	35,420
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	0
32	(02) ALT. CERT. PROG. GRANTS AND AID	<u>1,077,925</u>
33	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,349,212</u></u>

34

35 SECTION 15. APPROPRIATION - CONFERENCES. There is hereby appropriated,

36 to the Department of Education, to be payable from the cash fund deposited in

1 the State Treasury as determined by the Chief Fiscal Officer of the State,  
 2 for operating expenses of conferences sponsored by the Department of  
 3 Education for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$400,000
(B) CONF. & TRAVEL	25,000
(C) PROF. FEES	50,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$475,000</u></u>

15 SECTION 16. APPROPRIATION - MEDICAID ADMINISTRATION CLAIMING PROGRAM.

16 There is hereby appropriated, to the Department of Education, to be payable  
 17 from the cash fund deposited in the State Treasury as determined by the Chief  
 18 Fiscal Officer of the State, for reimbursement of school districts for  
 19 administrative activities that support the Arkansas Medicaid Program of the  
 20 Department of Education - Medicaid Administration Claiming Program for the  
 21 fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) AR MEDICAID ADMIN CLAIMS	<u><u>\$18,000,000</u></u>

27 SECTION 17. APPROPRIATION - VISION SCREENING PROGRAM. There is hereby

28 appropriated, to the Department of Education, to be payable from the School-  
 29 Age Children Eye and Vision Care Fund, for operating expenses and costs  
 30 incurred in studying, evaluating vision needs, screening vision programs, the  
 31 development of a strategic statewide plan, and associated expenses for eye  
 32 and vision care of school-age children in Arkansas for the fiscal year ending  
 33 June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>

1 (01) VARIOUS OPERATING EXPENSES FOR VISION  
 2 SCREENING AND CARE \$5,508

3  
 4 SECTION 18. APPROPRIATION - ARKANSAS BETTER CHANCE PROGRAM -  
 5 ADMINISTRATION. There is hereby appropriated, to the Department of  
 6 Education, to be payable from the Division of Elementary and Secondary  
 7 Education Fund Account, for personal services and operating expenses of the  
 8 Department of Education - Arkansas Better Chance Program - Administration for  
 9 the fiscal year ending June 30, 2021, the following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2020-2021</u>
13	(01) REGULAR SALARIES	\$403,613
14	(02) PERSONAL SERVICES MATCHING	145,087
15	(03) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	1,245,291
17	(B) CONF. & TRAVEL	3,917
18	(C) PROF. FEES	297,610
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$2,095,518</u>

22  
 23 SECTION 19. REGULAR SALARIES - PROFESSIONAL LICENSURE STANDARDS BOARD.  
 24 There is hereby established for the Department of Education - Professional  
 25 Licensure Standards Board for the 2020-2021 fiscal year, the following  
 26 maximum number of regular employees.

28		Maximum Annual
29		Salary Rate
30	Item Class	Fiscal Year
31	<u>No. Code Title</u>	<u>2020-2021</u>
		<u>Employees</u>
32	(1) G004C MANAGING ATTORNEY	1 GRADE GS13
33	(2) G012C ADE ASSISTANT TO DIRECTOR	1 GRADE GS12
34	(3) G073C ATTORNEY	1 GRADE GS10
35	(4) X012C ADE PLSB CHIEF INVESTIGATOR	1 GRADE GS09
36	(5) X202C ADE PLSB SENIOR INVESTIGATOR	2 GRADE GS08

1	(6) X037C EDUCATION INVESTIGATOR	4	GRADE GS08
2	(7) C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
3	(8) G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
4	(9) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
5	MAX. NO. OF EMPLOYEES	14	

6

7 SECTION 20. APPROPRIATION - PROFESSIONAL LICENSURE STANDARDS BOARD.

8 There is hereby appropriated, to the Department of Education, to be payable  
 9 from the cash fund deposited in the State Treasury as determined by the Chief  
 10 Fiscal Officer of the State, for personal services and operating expenses of  
 11 the Department of Education - Professional Licensure Standards Board for the  
 12 fiscal year ending June 30, 2021, the following:

13

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2020-2021</u>
16	(01) REGULAR SALARIES	\$710,518
17	(02) PERSONAL SERVICES MATCHING	228,366
18	(03) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	376,325
20	(B) CONF. & TRAVEL	10,000
21	(C) PROF. FEES	9,505
22	(D) CAP. OUTLAY	50,000
23	(E) DATA PROC.	0
24	(04) EDTPA PROGRAM GRANTS	<u>100,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$1,484,714</u>

26

27 SECTION 21. APPROPRIATION - OPEN ENROLLMENT PUBLIC CHARTER SCHOOL

28 CLOSURE. There is hereby appropriated, to the Department of Education, to be  
 29 payable from the cash fund deposited in the State Treasury as determined by  
 30 the Chief Fiscal Officer of the State, for outstanding obligations incurred  
 31 by closed charter schools for the fiscal year ending June 30, 2021, the  
 32 following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2020-2021</u>
36	(01) CHARTER SCHOOL CLOSURE	<u>\$300,000</u>

SECTION 22. APPROPRIATION - SUCCEED SCHOLARSHIP PROGRAM. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for expenses of the Succeed Scholarship Program of the Department of Education for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR
(01) SUCCEED SCHOLARSHIP PROGRAM EXPENSES	<u>\$3,000,000</u>

SECTION 23. APPROPRIATION - SAVE THE CHILDREN. There is hereby appropriated, to the Department of Education, to be payable from the Division of Elementary and Secondary Education Fund Account, for a grant for statewide after school literacy, nutrition, home visiting and early childhood programs to be administered by Save the Children for low income, at-risk children of the Department of Education for the fiscal year ending June 30, 2021, the sum of..... \$2,000,000.

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. Notwithstanding any law pertaining to the transfer of year-end fund balances or any law to the contrary, any funds which remain in the Division of Elementary and Secondary Education Fund Account at the end of a fiscal year shall remain in the Division of Elementary and Secondary Education Fund Account and be made available to fund appropriation(s) authorized by law and made payable from the Division of Elementary and Secondary Education Fund Account for the following fiscal year.

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

- (1) Prior to June 30, ~~2020~~ 2021 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council or Joint Budget Committee all

1 amounts carried forward by the September Arkansas Legislative Council or  
2 Joint Budget Committee meeting which report shall include the name of the  
3 Agency, Board, Commission or Institution and the amount of the funding  
4 carried forward, the program name or line item, the funding source of that  
5 appropriation and a copy of the written request set forth in (1) above;

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

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

18 The provisions of this section shall be in effect only from July 1, ~~2019~~  
19 2020 through June 30, ~~2020~~ 2021.

20  
21 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY OF  
23 THE COMMISSIONER OF THE DEPARTMENT OF EDUCATION. It is the intent of the  
24 General Assembly that the appropriation for the salary of the Commissioner of  
25 the Department of Education shall be the sole and exclusive authority for his  
26 or her salary. It is further the intent of the General Assembly that the  
27 Commissioner be required to devote all of his or her working time exclusively  
28 to the performance of his or her duties as Commissioner of the Department of  
29 Education. Therefore, the Commissioner of the Department of Education is  
30 hereby prohibited from accepting any additional salary from any other source  
31 (including state, federal, or private entities or persons) for the  
32 performance of his or her duties as Commissioner, and is prohibited from  
33 accepting any salary, fees or compensation from any other source (including  
34 state, federal or private entities or persons) for any other employment of  
35 any kind outside the scope of his or her duties as Commissioner, including  
36 but not limited to consulting work for any other public or private entity.

1 This section shall not be construed to prohibit the Commissioner from  
2 accepting or receiving expense reimbursements and employee benefits as  
3 provided by State law.

4 The provisions of this section shall be in effect only from July 1, ~~2019~~  
5 2020 through June 30, ~~2020~~ 2021.

6  
7 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from  
10 statewide education issues and the necessity of recruiting and retaining  
11 qualified personnel, the Arkansas Department of Education or its successor  
12 agency is authorized for the ~~2019-2020~~ 2020-2021 fiscal year a pool of no  
13 more than five (5) Information Technology positions at a salary not to exceed  
14 the maximum salary for a grade IT12. These positions are to be used by the  
15 Department of Education in the event that the personal services needs of the  
16 Department during the ~~2019-2020~~ 2020-2021 fiscal year require additional  
17 positions, either by title or in number, that are not authorized by the  
18 General Assembly in the Regular Salaries section of this Act. These positions  
19 may also be used to properly classify positions when the Department does not  
20 have a vacant position available with the appropriate title and salary level.

21 (b) To address needs emerging from statewide education issues and the  
22 necessity of recruiting and retaining qualified personnel, the Arkansas  
23 Department of Education or its successor agency is authorized for the ~~2019-~~  
24 ~~2020~~ 2020-2021 fiscal year a pool of ten (10) General Salaries positions at  
25 up to a grade GS15. These positions are to be used by the Department of  
26 Education in the event that the personal services needs of the Department  
27 during the ~~2019-2020~~ 2020-2021 fiscal year require additional positions,  
28 either by classification or in number, that are not authorized by the General  
29 Assembly in the Regular Salaries section of this Act. These positions may  
30 also be used to properly classify positions when the Department does not have  
31 a vacant position available with the appropriate title and grade level.

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

36 (d) The Department of Education is authorized to access the pool

1 positions authorized in this Section at any time when it is determined by the  
2 Commissioner that the need exists. The Commissioner shall provide a monthly  
3 report of the justification for the need to allocate titles from this growth  
4 pool to the Chief Fiscal Officer of the State and to the Arkansas Legislative  
5 Council or Joint Budget Committee for review. The report shall also include  
6 an accounting of the names, titles, and salaries of personnel whose salaries  
7 have been adjusted under provisions of Subsections (a) and (b) of this  
8 Section.

9 (e) If the Department of Education requests continuation of any  
10 "Position Pool" position(s) as established herein during the next fiscal  
11 year, the position(s) must be requested as a new position(s) in the agency's  
12 budget request.

13 (f) Determining the number of personnel to be employed by a state agency  
14 is the prerogative of the General Assembly and is usually accomplished by  
15 delineating the maximum number of personnel by identifying job titles and the  
16 maximum grade or salary attached to those titles. The General Assembly has  
17 determined that the Arkansas Department of Education could be operated more  
18 efficiently if some flexibility is given to that agency. That flexibility is  
19 being accomplished by providing a position pool in Subsections (a) and (b) of  
20 this Section and since the General Assembly has granted the agency broad  
21 powers under the growth pool concept, it is both necessary and appropriate  
22 that the General Assembly maintain oversight of the utilization of the  
23 position pool by requiring review of the Legislative Council or Joint Budget  
24 Committee in the utilization of the position pool. Therefore, the requirement  
25 of review by the Legislative Council or Joint Budget Committee is not a  
26 severable part of this section. If the requirement of review by the  
27 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
28 court of competent jurisdiction, this entire section is void.

29 The provisions of this section shall be in effect only from July 1, ~~2019~~  
30 2020 through June 30, ~~2020~~ 2021.

31  
32 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
34 FUND RESTRICTIONS. No state funds shall be used for abortion referral in  
35 public schools, or for abortion services. Funds shall be expended in  
36 accordance with Arkansas Code Annotated § 6-18-703.



1 The provisions of this section shall be in effect only from July 1, 2019  
2 2020 through June 30, ~~2020~~ 2021.

3  
4 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED  
6 SERVICES.

7 (a)(1)(A) The Chief Fiscal Officer of the State may create paying  
8 accounts on his or her books and on the books of the Treasurer of State and  
9 the Auditor of State for the payment of personal services and operating  
10 expenses by the Department of Education.

11 (B) Upon prior approval of the Arkansas Legislative Council, or  
12 if meeting in Legislative Session the Joint Budget Committee, the Chief  
13 Fiscal Officer of the State shall direct the transfer of funds and  
14 appropriations to the Shared Services Paying Account appropriation section of  
15 this act and the transfer of positions to the Regular Salaries – Shared  
16 Services appropriation section of this act on the books of the Treasurer of  
17 State, the Auditor of State, and the Chief Fiscal Officer of the State.

18 (2) The transfer authority provided in subdivision (a)(1) of  
19 this section for efficiencies and to eliminate duplication of services are  
20 limited only to those services that are provided for multiple divisions of a  
21 department, including without limitation to administration, human resources,  
22 procurement, communications, fleet operations, and information services.

23 (3) The transfer authority provided to the department in  
24 subdivision (a)(1) of this section may be used to make transfers only within  
25 the department's appropriation act or between other appropriation acts  
26 authorized for the department.

27 (b)(1) Each department utilizing the Shared Services Paying Account  
28 section or Regular Salaries – Shared Services section of this act shall  
29 submit a report to be included in the Budget Manuals for hearings, conducted  
30 by the General Assembly, listing all shared services transfers of positions,  
31 funds, and appropriation under this section, which shall be submitted as  
32 instructed by the Department of Finance and Administration - Office of Budget  
33 for uniformity.

34 (2) A report submitted under subdivision (b)(1) of this section  
35 shall include the following:

36 (A) The position number, authorized position title, class

1 code, grade, business area, and name of the division, section, or unit for  
2 the position being transferred to the Regular Salaries – Shared Services  
3 section of this act; and

4 (B) The fund center, appropriation, appropriation amount,  
5 commitment item or items, business area, and name of the division, section,  
6 or unit for the fund or appropriation being transferred to the Shared  
7 Services Paying Account.

8 (c)(1) It is the intent of the Ninety-Second General Assembly that the  
9 authority under this section to transfer positions is intended for use for  
10 the time period prior to Fiscal Year 2022 to allow cabinet-level departments  
11 to establish a centralized Regular Salaries - Shared Services section, with  
12 the recommendation that the position transfer authority granted under this  
13 section be discontinued after that time.

14 (2) The Bureau of Legislative Research shall bring the  
15 recommendation in subdivision (c)(1) of this section to the attention of the  
16 chairs conducting the 2021 Regular Session pre-session budget hearings, the  
17 chairs of the Special Language Subcommittee, and the members of the Special  
18 Language Subcommittee during pre-session budget hearings.

19 (d) Determining the maximum number of employees and the maximum amount  
20 of appropriation and general revenue funding for a cabinet-level department  
21 each fiscal year is the prerogative of the General Assembly and is usually  
22 accomplished by delineating the maximums in the appropriation act or acts and  
23 establishing authorized positions and the general revenue allocations  
24 authorized for each fund and fund account by amendment to the Revenue  
25 Stabilization Law. Further, the General Assembly has determined that the  
26 cabinet-level departments created under Acts 2019, No. 910, may operate more  
27 efficiently if some flexibility is provided as authorized under this section.  
28 Therefore, it is both necessary and appropriate that the General Assembly  
29 maintain oversight by requiring prior approval of the Legislative Council or,  
30 if the General Assembly is in session, the Joint Budget Committee, as  
31 provided by this section. The requirement of approval by the Legislative  
32 Council or Joint Budget Committee is not a severable part of this section.  
33 If the requirement of approval by the Legislative Council or Joint Budget  
34 Committee is ruled unconstitutional by a court of competent jurisdiction,  
35 this entire section is void.

36 (e) The provisions of this section shall be in effect from the date of

1 passage through June 30, 2021.

2  
3 SECTION 29. 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 30. 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 31. 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, 2020 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, 2020 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, 2020.

33  
34  
35 **APPROVED: 4/20/20**