

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

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

As Engrossed: S3/8/07 S3/15/07

A Bill

SENATE BILL 54

5 By: Senator J. Jeffress
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7

For An Act To Be Entitled

9 AN ACT CONCERNING CERTIFIED EMPLOYEE INCENTIVE
10 PAY PROGRAMS; AND FOR OTHER PURPOSES.
11

Subtitle

12 THE ARKANSAS TEACHER COMPENSATION EQUITY
13 ACT.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. NOT TO BE CODIFIED. This act shall be known as "The
20 Arkansas Teacher Compensation Equity Act".
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22 SECTION 2. Arkansas Code Title 6, Chapter 18, Subchapter 1 is amended
23 to add an additional section to read as follows:

24 6-17-119. Incentive pay programs.

25 (a) As used in this section:

26 (1) "Certified employee" means a person employed by a public
27 school who is required to hold a license issued by the Arkansas Department of
28 Education;

29 (2) "Classified employee" means a person employed by a public
30 school district under a written annual contract who is not required to have a
31 teaching certificate issued by the Arkansas Department of Education as a
32 condition of employment; and

33 (3) "Incentive" means a salary amount that is in addition to the
34 amount paid in accordance with a public school district's salary schedule for
35 additional responsibilities, mastery of new knowledge and skills, advanced
36 career opportunities, increased student achievement, attracting highly



1 qualified teachers, and professional development exceeding state minimums.

2 (4) "Teacher" means:

3 (A) Any person who is:

4 (i) Required to hold a teaching license from the
5 Arkansas Department of Education; and

6 (ii) Is engaged directly in instruction with
7 students in a classroom setting for more than seventy percent (70%) of the
8 individual's contracted time;

9 (B) A guidance counselor; or

10 (C) A librarian.

11 (b) A public school district may offer or participate in an incentive
12 or pay-for-performance program to its certified employees, classified
13 employees, or both employee groups if:

14 (1) The program is implemented district-wide or on a school-by-
15 school basis;

16 (2) Every eligible certified employee or classified employee may
17 participate in the program;

18 (3)(A) The program from the beginning is a collaborative effort
19 among the participating school board, administrators, teachers, classified
20 employees, association representatives, and parents with children attending
21 the school district.

22 (B) The school board, administrators, teachers, and
23 classified employees shall each approve a show of interest resolution in the
24 program by at least seventy-five percent (75%).

25 (C)(i) Each of the above groups shall be represented on a
26 committee that will design, implement and evaluate the program.

27 (ii) Each group shall select its own
28 representatives, and the committee shall be composed of at least fifty
29 percent (50%) classroom teachers.

30 (D) The program is a personnel policy and shall be
31 promulgated in accordance with § 6-17-201, et. seq., and §6-17-2301,
32 et.seq., except to the extent that those personnel policies are negotiable in
33 any school district that recognizes an organization representing a majority
34 of teachers.

35 (4)(A) The program uses a variety of objective criteria that are
36 credible, clear, specific, measurable indicators of student achievement, and

1 generally accepted best practices to determine rewards; and

2 (B) No more than fifty percent (50%) of the program's
3 eligibility requirements or incentives shall be related to annual increases
4 in test scores;

5 (5)(A)(i) The program establishes a clear system of incentives.

6 (ii) The incentive system may not be arbitrary.

7 (B) The incentives shall be at least five percent (5%) to
8 ten percent (10%) of the base salary and receivable in one year;

9 (6) The program has an established and ongoing support system
10 for the participants with the necessary financial and administrative
11 resources to successfully carry the program through;

12 (7) The program is aligned and linked to each school's Arkansas
13 Comprehensive School Improvement Plan;

14 (8) The program is part of a larger set of reforms rather than
15 an isolated approach to improving performance or rewarding certain certified
16 or classified employees; and

17 (9) Each group identified in subdivision (b)(3)(B) approves the
18 finalized program by:

19 (A) At least a seventy percent (70%) majority; or

20 (B) Another percentage previously agreed upon in writing
21 between a school board and an organization representing a majority of the
22 teachers.

23 (10)(A) The program respects the right of any teacher or
24 classified employee to elect not to participate in the program.

25 (B) However, if more than thirty percent (30%) of an
26 employee group chooses not to participate, the program shall not be
27 implemented for that group.

28 (c) The Arkansas Department of Education shall promulgate the rules
29 necessary for the proper implementation of this act.

30 (d) This act is not intended to apply to any other program or plan.

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32 /s/ J. Jeffress