

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S3/4/21

A Bill

SENATE BILL 111

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, 2022;
11 AND FOR OTHER PURPOSES.
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13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION
15 APPROPRIATION FOR THE 2021-2022 FISCAL
16 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
23 established for the Department of Education for the 2021-2022 fiscal year,
24 the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2021-2022
30	(1) SC004	SECRETARY OF EDUCATION	1	GRADE SE05
31	(2) U089U	DHE DEPUTY DIRECTOR	1	GRADE SE02
32	(3) D011N	ADE DIRECTOR OF INFORMATION SYSTEMS	1	GRADE SE01
33	(4) N009N	ASST COMMISSIONER FISCAL & ADMIN SVCS	1	GRADE SE01
34	(5) E007N	ADE DIRECTOR OF COMPUTER SCIENCE	1	GRADE IT09
35	(6) D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
36	(7) D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	1	GRADE IT07



1	(8)	D038C SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE IT06
2	(9)	D047C INFORMATION SYSTEMS BUSINESS ANALYST	1	GRADE IT05
3	(10)	D061C INFORMATION SYSTEMS COORDINATION SPEC	1	GRADE IT05
4	(11)	G001N ADE LITIGATION ATTORNEY	1	GRADE GS15
5	(12)	G281C ADE POLICY & SPECIAL PROJECTS DIRECTOR	1	GRADE GS15
6	(13)	N002N DHE SENIOR ASSOC DIRECTOR	1	GRADE GS15
7	(14)	N069N ADE SPECIAL ADVISOR	1	GRADE GS14
8	(15)	G019C GENERAL COUNSEL	1	GRADE GS13
9	(16)	G012C ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
10	(17)	G025C ATTORNEY SUPERVISOR	1	GRADE GS12
11	(18)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
12	(19)	A031C ASSISTANT CONTROLLER	1	GRADE GS11
13	(20)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
14	(21)	E006C PUBLIC SCHOOL PROGRAM MANAGER	1	GRADE GS11
15	(22)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
16	(23)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09
17	(24)	G074C ADE COORD OF GOVERNMENTAL AFFAIRS	1	GRADE GS09
18	(25)	A032C ADE FINANCE PROGRAM COORDINATOR	1	GRADE GS09
19	(26)	A038C FISCAL SUPPORT MANAGER	3	GRADE GS09
20	(27)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
21	(28)	E019C PUBLIC SCHOOL PROGRAM ADVISOR	2	GRADE GS09
22	(29)	G093C OPERATIONS MANAGER	2	GRADE GS08
23	(30)	R014C PERSONNEL MANAGER	2	GRADE GS08
24	(31)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
25	(32)	A041C PROGRAM FISCAL MANAGER	1	GRADE GS08
26	(33)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
27	(34)	S008C CAMPUS MAINTENANCE SUPERVISOR	2	GRADE GS07
28	(35)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
29	(36)	P020C PRODUCTION ARTIST	1	GRADE GS07
30	(37)	S033C MAINTENANCE SUPERVISOR	1	GRADE GS06
31	(38)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
32	(39)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
33	(40)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
34	(41)	C046C LEGAL SUPPORT SPECIALIST	1	GRADE GS04
35	(42)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
36	(43)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03

1 MAX. NO. OF EMPLOYEES 56

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3 SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is
 4 hereby appropriated, to the Department of Education, to be payable from the
 5 paying account as determined by the Chief Fiscal Officer of the State, for
 6 personal services and operating expenses of the Department of Education -
 7 Shared Services for the fiscal year ending June 30, 2022, the following:

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9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2021-2022</u>
11 (01) REGULAR SALARIES	\$3,920,566
12 (02) PERSONAL SERVICES MATCHING	1,191,387
13 (03) MAINT. & GEN. OPERATION	
14 (A) OPER. EXPENSE	100,000
15 (B) CONF. & TRAVEL	10,000
16 (C) PROF. FEES	0
17 (D) CAP. OUTLAY	0
18 (E) DATA PROC.	<u>0</u>
19 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,221,953</u></u>

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21 SECTION 3. REGULAR SALARIES. There is hereby established for the
 22 Department of Education - Division of Elementary and Secondary Education for
 23 the 2021-2022 fiscal year, the following maximum number of regular employees.

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			Maximum Annual
			Salary Rate
			Fiscal Year
26 Item	27 Class	Maximum	Fiscal Year
28 <u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>2021-2022</u>
		<u>Employees</u>	
29 (1)	U033U COMMISSIONER OF EDUCATION	1	GRADE SE05
30 (2)	U027U DEPUTY COMMISSIONER OF EDUCATION	1	GRADE SE03
31 (3)	N005N ADE ASST COMMISSIONER LEARNING SERVICES	1	GRADE SE01
32 (4)	N006N ADE ASST COMMISSIONER PUB SCH ACCT	1	GRADE SE01
33 (5)	N008N ASST COMMISSIONER RESEARCH & TECHNOLOGY	1	GRADE SE01
34 (6)	N010N ASST COMMR EDUC EFFECTIVENESS	1	GRADE SE01
35 (7)	L027C REGISTERED NURSE SUPERVISOR	1	GRADE MP02
36 (8)	D104C ADE STATE SYSTEMS ADMINISTRATOR	4	GRADE IT08

1	(9)	D030C INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
2	(10)	D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
3	(11)	D047C INFORMATION SYSTEMS BUSINESS ANALYST	2	GRADE IT05
4	(12)	D052C SOFTWARE SUPPORT ANALYST	1	GRADE IT05
5	(13)	D044C SYSTEMS ANALYST	1	GRADE IT05
6	(14)	D064C WEBSITE DEVELOPER	1	GRADE IT04
7	(15)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
8	(16)	E072C DIRECTOR OF COMPUTER SCIENCE AND STEM	1	GRADE GS15
9	(17)	N069N ADE SPECIAL ADVISOR	6	GRADE GS14
10	(18)	E003N ADE COORD SCH. IMP / STANDARDS ASSUR	1	GRADE GS13
11	(19)	E001N ADE COORDINATOR SPECIAL PROGRAMS	1	GRADE GS13
12	(20)	A010C AGENCY CONTROLLER II	1	GRADE GS13
13	(21)	G012C ADE ASSISTANT TO DIRECTOR	6	GRADE GS12
14	(22)	G006C ADE SPECIAL EDUCATION DIVISION MGR	1	GRADE GS12
15	(23)	A021C AGENCY CONTROLLER I	1	GRADE GS12
16	(24)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
17	(25)	E006N ADE COORD COMPUTER SCIENCE	1	GRADE GS11
18	(26)	N149N ADE COORD FISCAL DISTRESS	1	GRADE GS11
19	(27)	E069C ADE DIRECTOR OF MEDICAID IN SCHOOLS	1	GRADE GS11
20	(28)	E006C PUBLIC SCHOOL PROGRAM MANAGER	13	GRADE GS11
21	(29)	E007C ADE OERZ DIRECTOR	1	GRADE GS10
22	(30)	G075C ADE PROGRAM ADMINISTRATOR	3	GRADE GS10
23	(31)	E016C PUBLIC SCHOOL PROGRAM COORDINATOR	20	GRADE GS10
24	(32)	A052C ACCOUNTING COORDINATOR	5	GRADE GS09
25	(33)	A032C ADE FINANCE PROGRAM COORDINATOR	2	GRADE GS09
26	(34)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
27	(35)	A038C FISCAL SUPPORT MANAGER	5	GRADE GS09
28	(36)	G109C GRANTS MANAGER	3	GRADE GS09
29	(37)	P004C PUBLIC INFORMATION MANAGER	3	GRADE GS09
30	(38)	E019C PUBLIC SCHOOL PROGRAM ADVISOR	102	GRADE GS09
31	(39)	E066C DCCECE EDUCATION MANAGER	1	GRADE GS08
32	(40)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
33	(41)	L043C HEALTH PROGRAM SPECIALIST III	1	GRADE GS08
34	(42)	L035C NUTRITIONIST CONSULTANT	9	GRADE GS08
35	(43)	G093C OPERATIONS MANAGER	2	GRADE GS08
36	(44)	R014C PERSONNEL MANAGER	1	GRADE GS08

1	(45)	A041C PROGRAM FISCAL MANAGER	5	GRADE GS08
2	(46)	A089C ACCOUNTANT I	1	GRADE GS07
3	(47)	G267C DHS PROGRAM ELIGIBILITY ANALYST	1	GRADE GS07
4	(48)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
5	(49)	A075C FINANCIAL ANALYST I	1	GRADE GS07
6	(50)	G147C GRANTS COORDINATOR	1	GRADE GS07
7	(51)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
8	(52)	C037C ADMINISTRATIVE ANALYST	14	GRADE GS06
9	(53)	M053C CHILD CARE SERVICE SPECIALIST	5	GRADE GS06
10	(54)	A074C FISCAL SUPPORT SUPERVISOR	4	GRADE GS06
11	(55)	G180C GRANTS ANALYST	2	GRADE GS06
12	(56)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
13	(57)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
14	(58)	G178C POLICY DEVELOPMENT COORDINATOR	4	GRADE GS06
15	(59)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
16	(60)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
17	(61)	V014C BUYER	1	GRADE GS05
18	(62)	A091C FISCAL SUPPORT ANALYST	3	GRADE GS05
19	(63)	D077C HELP DESK SPECIALIST	1	GRADE GS05
20	(64)	C056C ADMINISTRATIVE SPECIALIST III	36	GRADE GS04
21	(65)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
22	(66)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
23	(67)	C073C ADMINISTRATIVE SPECIALIST II	<u>21</u>	GRADE GS03
24		MAX. NO. OF EMPLOYEES	322	

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26 SECTION 4. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,
 27 for the Department of Education - Division of Elementary and Secondary
 28 Education - State Operations for the 2021-2022 fiscal year, the following
 29 maximum number of part-time or temporary employees, to be known as "Extra
 30 Help", payable from funds appropriated herein for such purposes: eight (8)
 31 temporary or part-time employees, when needed, at rates of pay not to exceed
 32 those provided in the Uniform Classification and Compensation Act, or its
 33 successor, or this act for the appropriate classification.

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35 SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby
 36 appropriated, to the Department of Education, to be payable from the Division

1 of Elementary and Secondary Education Fund Account, for personal services and
 2 operating expenses of the Department of Education - Division of Elementary
 3 and Secondary Education - State Operations for the fiscal year ending June
 4 30, 2022, the following:

6	ITEM	FISCAL YEAR
7	<u>NO.</u>	<u>2021-2022</u>
8	(01) REGULAR SALARIES	\$13,300,504
9	(02) EXTRA HELP	160,000
10	(03) PERSONAL SERVICES MATCHING	4,277,539
11	(04) MAINT. & GEN. OPERATION	
12	(A) OPER. EXPENSE	3,411,057
13	(B) CONF. & TRAVEL	93,161
14	(C) PROF. FEES	100,000
15	(D) CAP. OUTLAY	100,000
16	(E) DATA PROC.	<u>0</u>
17	TOTAL AMOUNT APPROPRIATED	<u>\$21,442,261</u>

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19 SECTION 6. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. There is
 20 hereby appropriated, to the Department of Education, to be payable from the
 21 federal funds as designated by the Chief Fiscal Officer of the State, for
 22 personal services and operating expenses of the Department of Education -
 23 Division of Elementary and Secondary Education - Federal Grants
 24 Administration for the fiscal year ending June 30, 2022, the following:

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2021-2022</u>
28	(01) REGULAR SALARIES	\$395,877
29	(02) PERSONAL SERVICES MATCHING	122,343
30	(03) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	49,970
32	(B) CONF. & TRAVEL	19,672
33	(C) PROF. FEES	260,000
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$847,862</u>

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SECTION 7. APPROPRIATION - BUILDING MAINTENANCE. There is hereby appropriated, to the Department of Education, to be payable from the Educational Buildings Maintenance Fund, for operating expenses of the Department of Education - Division of Elementary and Secondary Education - Building Maintenance for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$500,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$500,000</u></u>

SECTION 8. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There is hereby appropriated, to the Department of Education, to be payable from the Education Revolving Loan Certificates Fund, for personal services and operating expenses of the Department of Education - Division of Elementary and Secondary Education - Revolving Loan Certificates Fund for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$47,552
(02) PERSONAL SERVICES MATCHING	16,204
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	27,500
(B) CONF. & TRAVEL	2,500
(C) PROF. FEES	10,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) LOANS TO SCHOOL DISTRICTS	<u>13,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$13,103,756</u></u>

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SECTION 9. APPROPRIATION - CHILD NUTRITION PROGRAM. There is hereby appropriated, to the Department of Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Education - Division of Elementary and Secondary Education - Child Nutrition Program for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$1,127,105
(02) PERSONAL SERVICES MATCHING	380,278
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,172,100
(B) CONF. & TRAVEL	52,600
(C) PROF. FEES	156,400
(D) CAP. OUTLAY	50,000
(E) DATA PROC.	0
(04) SCHOOL FOOD SERVICE/NUTRITION ED	225,000,000
(05) REFUNDS/REIMBURSEMENTS	<u>450,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$228,388,483</u>

SECTION 10. EXTRA HELP - FEDERAL ELEMENTARY AND SECONDARY EDUCATION. There is hereby authorized, for the Department of Education - Division of Elementary and Secondary Education - Federal Elementary and Secondary Education for the 2021-2022 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: three (3) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 11. APPROPRIATION - FEDERAL ELEMENTARY AND SECONDARY EDUCATION. There is hereby appropriated, to the Department of Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of

1 Education - Division of Elementary and Secondary Education - Federal
 2 Elementary and Secondary Education for the fiscal year ending June 30, 2022,
 3 the following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2021-2022</u>
7 (01) REGULAR SALARIES	\$2,927,497
8 (02) EXTRA HELP	10,000
9 (03) PERSONAL SERVICES MATCHING	945,873
10 (04) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	91,242,005
12 (B) CONF. & TRAVEL	715,500
13 (C) PROF. FEES	12,851,105
14 (D) CAP. OUTLAY	200,000
15 (E) DATA PROC.	0
16 (05) ENTITLEMENT GRANT PROGRAMS	1,172,398,129
17 (06) REFUNDS/REIMBURSEMENTS	<u>1,110,000</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$1,282,400,109</u>

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 20 SECTION 12. APPROPRIATION - MULTIPLE GRANT AWARD PROGRAM. There is
 21 hereby appropriated, to the Department of Education, to be payable from the
 22 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 23 Officer of the State, for operating expenses and grants by the Department of
 24 Education - Division of Elementary and Secondary Education - Multiple Grant
 25 Award Program for the fiscal year ending June 30, 2022, the following:

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2021-2022</u>
29 (01) MAINT. & GEN. OPERATION	
30 (A) OPER. EXPENSE	\$422,000
31 (B) CONF. & TRAVEL	16,500
32 (C) PROF. FEES	40,000
33 (D) CAP. OUTLAY	100,000
34 (E) DATA PROC.	0
35 (02) MULTIPLE GRANT AWARDS	<u>1,000,000</u>
36 TOTAL AMOUNT APPROPRIATED	<u>\$1,578,500</u>

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SECTION 13. APPROPRIATION - MEDICAID REIMBURSEMENT 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 Medicaid reimbursement and administration of the Department of Education - Division of Elementary and Secondary Education - Medicaid Reimbursement Program for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REFUNDS/REIMBURSEMENTS	\$13,659,017
(02) MEDICAID ADMIN	<u>10,500</u>
TOTAL AMOUNT APPROPRIATED	<u>\$13,669,517</u>

SECTION 14. APPROPRIATION - ALTERNATIVE CERTIFICATION 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 operating expenses and grants by the Department of Education - Division of Elementary and Secondary Education - Alternative Certification Program for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$227,367
(B) CONF. & TRAVEL	8,500
(C) PROF. FEES	35,420
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) ALT. CERT. PROG. GRANTS AND AID	<u>1,077,925</u>
TOTAL AMOUNT APPROPRIATED	<u>\$1,349,212</u>

SECTION 15. APPROPRIATION - CONFERENCES. There is hereby appropriated, 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 - Division of Elementary and Secondary Education - Conferences for
4 the fiscal year ending June 30, 2022, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2021-2022</u>
8 (01) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	\$400,000
10 (B) CONF. & TRAVEL	25,000
11 (C) PROF. FEES	50,000
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$475,000</u></u>

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16 SECTION 16. APPROPRIATION - MEDICAID ADMINISTRATION CLAIMING PROGRAM.
17 There is hereby appropriated, to the Department of Education, to be payable
18 from the cash fund deposited in the State Treasury as determined by the Chief
19 Fiscal Officer of the State, for reimbursement of school districts for
20 administrative activities that support the Arkansas Medicaid Program of the
21 Department of Education - Division of Elementary and Secondary Education -
22 Medicaid Administration Claiming Program for the fiscal year ending June 30,
23 2022, the following:

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25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2021-2022</u>
27 (01) AR MEDICAID ADMIN CLAIMS	<u><u>\$31,250,000</u></u>

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29 SECTION 17. APPROPRIATION - ARKANSAS BETTER CHANCE PROGRAM -
30 ADMINISTRATION. There is hereby appropriated, to the Department of
31 Education, to be payable from the Division of Elementary and Secondary
32 Education Fund Account, for personal services and operating expenses of the
33 Department of Education - Division of Elementary and Secondary Education -
34 Arkansas Better Chance Program - Administration for the fiscal year ending
35 June 30, 2022, the following:

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1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2021-2022</u>
3	(01) REGULAR SALARIES	\$452,155
4	(02) PERSONAL SERVICES MATCHING	156,730
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	1,245,291
7	(B) CONF. & TRAVEL	3,917
8	(C) PROF. FEES	297,610
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,155,703</u></u>

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13 SECTION 18. REGULAR SALARIES - PROFESSIONAL LICENSURE STANDARDS BOARD.

14 There is hereby established for the Department of Education - Division of
 15 Elementary and Secondary Education - Professional Licensure Standards Board
 16 for the 2021-2022 fiscal year, the following maximum number of regular
 17 employees.

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19			Maximum Annual
20		Maximum	Salary Rate
21	Item Class	No. of	Fiscal Year
22	<u>No. Code Title</u>	<u>Employees</u>	<u>2021-2022</u>
23	(1) G004C MANAGING ATTORNEY	1	GRADE GS13
24	(2) G073C ATTORNEY	1	GRADE GS10
25	(3) X012C ADE PLSB CHIEF INVESTIGATOR	1	GRADE GS09
26	(4) X202C ADE PLSB SENIOR INVESTIGATOR	2	GRADE GS08
27	(5) X037C EDUCATION INVESTIGATOR	4	GRADE GS08
28	(6) C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
29	(7) G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
30	(8) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
31	MAX. NO. OF EMPLOYEES	13	

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33 SECTION 19. APPROPRIATION - PROFESSIONAL LICENSURE STANDARDS BOARD.

34 There is hereby appropriated, to the Department of Education, to be payable
 35 from the cash fund deposited in the State Treasury as determined by the Chief
 36 Fiscal Officer of the State, for personal services and operating expenses of

1 the Department of Education - Division of Elementary and Secondary Education
 2 - Professional Licensure Standards Board for the fiscal year ending June 30,
 3 2022, the following:

4	5 ITEM	6 FISCAL YEAR
7	8 <u>NO.</u>	9 <u>2021-2022</u>
10	(01) REGULAR SALARIES	\$662,224
11	(02) PERSONAL SERVICES MATCHING	220,657
12	(03) MAINT. & GEN. OPERATION	
13	(A) OPER. EXPENSE	376,325
14	(B) CONF. & TRAVEL	10,000
15	(C) PROF. FEES	9,505
16	(D) CAP. OUTLAY	50,000
17	(E) DATA PROC.	0
18	(04) EDTPA PROGRAM GRANTS	<u>100,000</u>
19	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,428,711</u></u>

20 SECTION 20. APPROPRIATION - OPEN ENROLLMENT PUBLIC CHARTER SCHOOL
 21 CLOSURE. There is hereby appropriated, to the Department of Education, to be
 22 payable from the cash fund deposited in the State Treasury as determined by
 23 the Chief Fiscal Officer of the State, for outstanding obligations incurred
 24 by closed charter schools of the Department of Education - Division of
 25 Elementary and Secondary Education for the fiscal year ending June 30, 2022,
 26 the following:

27	28 ITEM	29 FISCAL YEAR
30	31 <u>NO.</u>	32 <u>2021-2022</u>
33	(01) CHARTER SCHOOL CLOSURE	<u><u>\$300,000</u></u>

34 SECTION 21. APPROPRIATION - SUCCEED SCHOLARSHIP PROGRAM. There is
 35 hereby appropriated, to the Department of Education, to be payable from the
 36 Division of Elementary and Secondary Education Fund Account, for expenses of
 the Succeed Scholarship Program of the Department of Education - Division of
 Elementary and Secondary Education - Succeed Scholarship Program for the
 fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) SUCCEED SCHOLARSHIP PROGRAM	<u>\$3,300,000</u>

SECTION 22. 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 - Division of Elementary and Secondary Education - Save the Children for the fiscal year ending June 30, 2022, the sum of.....\$2,000,000.

SECTION 23. 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, ~~2021~~ 2022 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 amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee

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

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

11 The provisions of this section shall be in effect only from July 1, ~~2020~~
12 2021 through June 30, ~~2021~~ 2022.

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

33 The provisions of this section shall be in effect only from July 1, ~~2020~~
34 2021 through June 30, ~~2021~~ 2022.

35
36 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

2 ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from
3 statewide education issues and the necessity of recruiting and retaining
4 qualified personnel, the Arkansas Department of Education or its successor
5 agency is authorized for the ~~2020-2021~~ 2021-2022 fiscal year a pool of no
6 more than five (5) Information Technology positions at a salary not to exceed
7 the maximum salary for a grade IT12. These positions are to be used by the
8 Department of Education in the event that the personal services needs of the
9 Department during the ~~2020-2021~~ 2021-2022 fiscal year require additional
10 positions, either by title or in number, that are not authorized by the
11 General Assembly in the Regular Salaries section of this Act. These positions
12 may also be used to properly classify positions when the Department does not
13 have a vacant position available with the appropriate title and salary level.

14 (b) To address needs emerging from statewide education issues and the
15 necessity of recruiting and retaining qualified personnel, the Arkansas
16 Department of Education or its successor agency is authorized for the ~~2020-~~
17 ~~2021~~ 2021-2022 fiscal year a pool of ten (10) General Salaries positions at
18 up to a grade GS15. These positions are to be used by the Department of
19 Education in the event that the personal services needs of the Department
20 during the ~~2020-2021~~ 2021-2022 fiscal year require additional positions,
21 either by classification or in number, that are not authorized by the General
22 Assembly in the Regular Salaries section of this Act. These positions may
23 also be used to properly classify positions when the Department does not have
24 a vacant position available with the appropriate title and grade level.

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

29 (d) The Department of Education is authorized to access the pool
30 positions authorized in this Section at any time when it is determined by the
31 Commissioner that the need exists. The Commissioner shall provide a monthly
32 report of the justification for the need to allocate titles from this growth
33 pool to the Chief Fiscal Officer of the State and to the Arkansas Legislative
34 Council or Joint Budget Committee for review. The report shall also include
35 an accounting of the names, titles, and salaries of personnel whose salaries
36 have been adjusted under provisions of Subsections (a) and (b) of this

1 Section.

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

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

22 The provisions of this section shall be in effect only from July 1, ~~2020~~
23 2021 through June 30, ~~2021~~ 2022.

24

25 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
27 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
28 public schools, or for abortion services. Funds shall be expended in
29 accordance with Arkansas Code Annotated § 6-18-703.

30 The provisions of this section shall be in effect only from July 1, ~~2020~~
31 2021 through June 30, ~~2021~~ 2022.

32

33 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
35 SERVICES.

36 (a)(1)(A) The Chief Fiscal Officer of the State may create paying

1 accounts on his or her books and on the books of the Treasurer of State and
2 the Auditor of State for the payment of personal services and operating
3 expenses by the Department of Education.

4 (B) Upon prior approval of the Arkansas Legislative Council, or
5 if meeting in Legislative Session the Joint Budget Committee, the Chief
6 Fiscal Officer of the State shall direct the transfer of funds and
7 appropriations to the Shared Services Paying Account appropriation section of
8 this act and the transfer of positions to the Regular Salaries – Shared
9 Services appropriation section of this act on the books of the Treasurer of
10 State, the Auditor of State, and the Chief Fiscal Officer of the State.

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

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

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

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

29 (A) The position number, authorized position title, class
30 code, grade, business area, and name of the division, section, or unit for
31 the position being transferred to the Regular Salaries – Shared Services
32 section of this act; and

33 (B) The fund center, appropriation, appropriation amount,
34 commitment item or items, business area, and name of the division, section,
35 or unit for the fund or appropriation being transferred to the Shared
36 Services Paying Account.

1 (c)(1) It is the intent of the Ninety-Second General Assembly that the
2 authority under this section to transfer positions is intended for use for
3 the time period prior to Fiscal Year ~~2022~~ 2023 to allow cabinet-level
4 departments to establish a centralized Regular Salaries - Shared Services
5 section, with the recommendation that the position transfer authority granted
6 under this section be discontinued after that time.

7 (2) The Bureau of Legislative Research shall bring the
8 recommendation in subdivision (c)(1) of this section to the attention of the
9 chairs conducting the ~~2021~~ 2022 ~~Regular~~ Fiscal Session pre-session budget
10 hearings, the chairs of the Special Language Subcommittee, and the members of
11 the Special Language Subcommittee during pre-session budget hearings.

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

29 (e) The provisions of this section shall be in effect from the date of
30 passage through June 30, ~~2021~~ 2022.

31
32 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
33 authorized by this act shall be limited to the appropriation for such agency
34 and funds made available by law for the support of such appropriations; and
35 the restrictions of the State Procurement Law, the General Accounting and
36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

1 Procedures and Restrictions Act, or their successors, and other fiscal
2 control laws of this State, where applicable, and regulations promulgated by
3 the Department of Finance and Administration, as authorized by law, shall be
4 strictly complied with in disbursement of said funds.

5
6 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General
7 Assembly that any funds disbursed under the authority of the appropriations
8 contained in this act shall be in compliance with the stated reasons for
9 which this act was adopted, as evidenced by the Agency Requests, Executive
10 Recommendations and Legislative Recommendations contained in the budget
11 manuals prepared by the Department of Finance and Administration, letters, or
12 summarized oral testimony in the official minutes of the Arkansas Legislative
13 Council or Joint Budget Committee which relate to its passage and adoption.

14
15 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly, that the Constitution of the State of Arkansas prohibits
17 the appropriation of funds for more than a one (1) year period; that the
18 effectiveness of this Act on July 1, 2021 is essential to the operation of
19 the agency for which the appropriations in this Act are provided, and that in
20 the event of an extension of the legislative session, the delay in the
21 effective date of this Act beyond July 1, 2021 could work irreparable harm
22 upon the proper administration and provision of essential governmental
23 programs. Therefore, an emergency is hereby declared to exist and this Act
24 being necessary for the immediate preservation of the public peace, health
25 and safety shall be in full force and effect from and after July 1, 2021.

26
27
28 /s/Joint Budget Committee
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