

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

A Bill

SENATE BILL 158

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, 2022; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 DIVISION OF ELEMENTARY AND SECONDARY
17 EDUCATION - PUBLIC SCHOOL FUND
18 APPROPRIATION FOR THE 2021-2022 FISCAL
19 YEAR.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

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, 2022,
31 the following:
32

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	



1	HEALTH INSURANCE	35,000,000
2	(03) ADVANCED PLACEMENT INCENTIVE	1,275,000
3	(04) ALTERNATIVE LEARNING	32,876,331
4	(05) ARKANSAS EASTER SEALS	193,113
5	(06) ASSESSMENT/END OF LEVEL TESTING	20,250,189
6	(07) AT RISK	1,688,530
7	(08) BETTER CHANCE PROGRAM	\$114,000,000
8	(09) BONDED DEBT ASSISTANCE	28,455,384
9	(10) COMPUTER SCIENCE INITIATIVE	3,500,000
10	(11) CONSOLIDATION INCENTIVE	5,981,400
11	(12) CONTENT STANDARDS	161,000
12	(13) CONTENTS STANDARDS CURRICULUM	
13	FRAMEWORKS	50,000
14	(14) COOP EDUCATION TECH CENTERS	1,200,000
15	(15) COORDINATED SCHOOL HEALTH	2,000,000
16	(16) DECLINING ENROLLMENT	13,963,389
17	(17) DEPT OF CORRECTION	6,454,524
18	(18) DISTANCE LEARNING	4,760,000
19	(19) DISTANCE LEARNING OPERATIONS	7,575,000
20	(20) EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
21	(21) ECONOMIC EDUCATION	400,000
22	(22) EDUCATION SERVICE COOPERATIVES	6,129,270
23	(23) EIDT SPECIAL EDUCATION SERVICES	6,000,000
24	(24) ENGLISH LANGUAGE LEARNERS	18,484,481
25	(25) ENHANCED SALARY	15,000,000
26	(26) ENHANCED STUDENT ACHIEVEMENT FUNDING	241,186,503
27	(27) ENHANCED TRANSPORTATION FUNDING	6,000,000
28	(28) ESA MATCHING GRANT PROGRAM	5,300,000
29	(29) GENERAL FACILITIES FUNDING	8,100,000
30	(30) GIFTED & TALENTED	1,485,381
31	(31) GRANTS TO SCHOOL DISTRICTS	67,856
32	(32) HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
33	(33) INTERVENTION BLOCK GRANTS	302,000
34	(34) ISOLATED FUNDING	7,896,000
35	(35) LEADERSHIP ACADEMY-MASTER PRINCIPAL	1,400,000
36	(36) MASTER PRINCIPAL BONUS	175,000

1	(37)	NATIONAL BOARD OF PROF TEACHING	
2		STANDARDS	18,738,000
3	(38)	NON-TRADITIONAL LICENSURE	50,000
4	(39)	OE CHARTER FAC FUNDING AID PROGRAM	7,575,000
5	(40)	POSITIVE YOUTH DEVELOPMENT GRANTS	5,000,000
6	(41)	PROFESSIONAL DEVELOPMENT FUNDING	35,175,911
7	(42)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
8	(43)	R.I.S.E. ARKANSAS	970,000
9	(44)	RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
10	(45)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
11	(46)	SCHOOL FOOD SERVICES	1,650,000
12	(47)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
13	(48)	SCHOOL FUNDING CONTINGENCY	25,000,000
14	(49)	SCHOOL RECOGNITION	7,000,000
15	(50)	SCHOOL WORKER DEFENSE	390,000
16	(51)	SERIOUS OFFENDER	1,716,859
17	(52)	SMART START/SMART STEP	10,666,303
18	(53)	SPECIAL EDUCATION SERVICES	2,802,527
19	(54)	SPECIAL EDUCATION-CATASTROPHIC	13,500,000
20	(55)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
21	(56)	STATE FOUNDATION FUNDING	2,136,100,941
22	(57)	STUDENT GROWTH	37,690,144
23	(58)	SUPPLEMENTAL MILLAGE	10,000,000
24	(59)	SURPLUS COMMODITIES	1,125,065
25	(60)	TEACHER LICENSING/MENTORING	6,065,758
26	(61)	TEACHER OF THE YEAR	100,000
27	(62)	TEACHER RECRUITMENT	2,100,000
28	(63)	TEACHER RETIREMENT MATCHING	13,804,003
29	(64)	TECHNOLOGY GRANTS	3,602,678
30	(65)	TECHNOLOGY IMPROVEMENTS	500,000
31	(66)	WORKER'S COMPENSATION	450,000
32	(67)	YOUTH SHELTERS	<u>165,000</u>
33		TOTAL AMOUNT APPROPRIATED	<u>\$3,068,466,297</u>

34

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

36 There is hereby established for the Department of Education - Division of

1 Elementary and Secondary Education - Arkansas Public School Computer Network
 2 for the 2021-2022 fiscal year, the following maximum number of regular
 3 employees.

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2021-2022
9	(1) D105C ADE STATE NETWORK ENGINEER	1	GRADE IT09
10	(2) D104C ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE IT08
11	(3) D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
12	(4) D006C SOFTWARE ENGINEER LEAD	1	GRADE IT08
13	(5) D042C DATA WAREHOUSE SPECIALIST	1	GRADE IT06
14	(6) D037C ADE APSCN APPLICATIONS MANAGER	3	GRADE IT05
15	(7) D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
16	(8) D055C ADE APSCN FIELD ANALYST	25	GRADE IT04
17	(9) D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
18	(10) N047N ADE APSCN DIRECTOR	1	GRADE GS15
19	(11) G012C ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
20	(12) G050C ADE APSCN DIVISION MANAGER	3	GRADE GS10
21	(13) A089C ACCOUNTANT I	1	GRADE GS07
22	(14) C020C STUDENT APPLICATIONS SPECIALIST	4	GRADE GS06
23	(15) D077C HELP DESK SPECIALIST	2	GRADE GS05
24	(16) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
25	MAX. NO. OF EMPLOYEES	50	

27 SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.
 28 There is hereby appropriated, to the Department of Education, to be payable
 29 from the Division of Elementary and Secondary Education Public School Fund
 30 Account, for personal services and operating expenses of the Department of
 31 Education - Division of Elementary and Secondary Education - Arkansas Public
 32 School Computer Network for the fiscal year ending June 30, 2022, the
 33 following:

ITEM	FISCAL YEAR
NO.	2021-2022

1	(01) REGULAR SALARIES	\$2,784,581
2	(02) PERSONAL SERVICES MATCHING	902,656
3	(03) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	19,245,839
5	(B) CONF. & TRAVEL	7,250
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	200,000
8	(E) DATA PROC.	0
9	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$23,440,326</u></u>

11

12 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 13 is hereby established for the Department of Education - Division of
 14 Elementary and Secondary Education - Office of Education Renewal Zones for
 15 the 2021-2022 fiscal year, the following maximum number of regular employees.

16

17		Maximum Annual
18		Salary Rate
19	Item Class	Fiscal Year
20	No. Code Title	2021-2022
21	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3 GRADE GS08
22	(2) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u> GRADE GS04
23	MAX. NO. OF EMPLOYEES	4

24

25 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 26 hereby appropriated, to the Department of Education, to be payable from the
 27 Division of Elementary and Secondary Education Public School Fund Account,
 28 for personal services, operating expenses, and grants by the Department of
 29 Education - Division of Elementary and Secondary Education - Office of
 30 Education Renewal Zones for the fiscal year ending June 30, 2022, the
 31 following:

32

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2021-2022</u>
35	(01) REGULAR SALARIES	\$168,180
36	(02) PERSONAL SERVICES MATCHING	59,811

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	25,000
3	(B) CONF. & TRAVEL	3,000
4	(C) PROF. FEES	0
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	0
7	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,101,150</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,357,141</u></u>

9

10 SECTION 6. APPROPRIATION - EDUCATOR COMPENSATION REFORM GRANTS AND AID.

11 There is hereby appropriated, to the Department of Education, to be payable

12 from the Division of Elementary and Secondary Education Public School Fund

13 Account, for grants and aid to provide additional funding to school districts

14 currently below the statutory minimum teacher salary schedule by the

15 Department of Education - Division of Elementary and Secondary Education -

16 Educator Compensation Reform Grants and Aid for the fiscal year ending June

17 30, 2022, the following:

18		
19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2021-2022</u>
21	(01) EDUCATOR COMPENSATION REFORM PROGRAM	<u><u>\$60,000,000</u></u>

22

23 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.

25 ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for

26 R.I.S.E. Arkansas remaining on June 30, ~~2021~~ 2022, in the Division of

27 Elementary and Secondary Education Public School Fund Account shall be

28 designated and retained for the R.I.S.E. Arkansas. Any carry forward of

29 unexpected balance of funding as authorized herein, may be carried forward

30 under the following conditions:

31 (1) Prior to June 30, ~~2021~~ 2022 the Agency shall by written statement

32 set forth its reason(s) for the need to carry forward said funding to the

33 Department of Finance and Administration Office of Budget;

34 (2) The Department of Finance and Administration Office of Budget shall

35 report to the Arkansas Legislative Council or Joint Budget Committee all

36 amounts carried forward by the September Arkansas Legislative Council or

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

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

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

17 The provisions of this section shall be in effect only from July 1, ~~2020~~
18 2021 through June 30, ~~2021~~ 2022.

19
20 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
22 ALLOCATION. The appropriation for the Isolated Funding line item in the
23 Grants and Aid to Local School Districts and Special Programs section of this
24 Act may be fully funded. Any funding and appropriation for Isolated Funding
25 that is not utilized shall be transferred to the appropriation for Special
26 Needs Isolated Funding in the Grants and Aid to Local School Districts and
27 Special Programs section of this Act and shall be used there for fully
28 funding each subsection (c) through (f) of Arkansas Code § 6-20-604 on a pro
29 rata basis until the available funds are exhausted. Pro rata basis is defined
30 as providing each district qualifying for additional funding under
31 subsections (c) through (f) a proportionate share based on how each
32 district's additional funding amount bears to the total additional funding
33 amounts for all qualifying districts. If any funding and appropriation
34 remains after funding each subsection (c) through (f) of Arkansas Code § 6-
35 20-604 the remaining balance shall be used to fund the provisions of Arkansas
36 Code § 6-20-604 (h) on an equal basis until the available funds are

1 exhausted.

2 The provisions of this section shall be in effect only from July 1, ~~2020~~
3 2021 through June 30, ~~2021~~ 2022.

4

5 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
7 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
8 Districts appropriation in the Grants and Aid to Local School Districts and
9 Special Programs section of this Act, "school district" means a school
10 district which contracts with a school district in an adjoining state for the
11 education of some of the pupils within the Arkansas school district because
12 the portion of the school district wherein such pupils live is completely
13 separated from the remainder of the school district by a reservoir covering
14 at least 12,000 acres at normal water level, and where to attend school in
15 their own district, the pupils of said portion would be required to travel or
16 to be transported a distance (measured by the nearest highway or road route)
17 of more than 35 miles round trip and pass through another school district or
18 districts. The Department of Education shall distribute the monies
19 appropriated for Grants to School Districts in the Grants and Aid to Local
20 School Districts and Special Programs section of this Act to such school
21 districts as reimbursement for expenses incurred in educating the pupils
22 residing in the separated portion of the school district. The payments are to
23 be limited to the amount of available appropriation. Such school districts
24 shall file a request for reimbursement with the Department of Education and
25 provide the Department of Education with such documentation as is deemed
26 necessary.

27 The provisions of this section shall be in effect only from July 1, ~~2020~~
28 2021 through June 30, ~~2021~~ 2022.

29

30 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
32 EDUCATION SERVICES. The funds appropriated in the line item "Special
33 Education Services" in the Grants and Aid to Local School Districts and
34 Special Programs section of this Act shall be used to provide extended year
35 summer programs for handicapped students in need of such services, to provide
36 special education services to foster children who are wards of the State, and

1 to provide funds for the payment of salaries of special education
2 supervisors. The Department of Education shall distribute such funds in the
3 manner necessary to carry out the intent of this Section.

4 The provisions of this section shall be in effect only from July 1, ~~2020~~
5 2021 through June 30, ~~2021~~ 2022.

6
7 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
10 Incentive shall be allocated in accordance with rules and regulations
11 established by the State Board of Education.

12 The provisions of this section shall be in effect only from July 1, ~~2020~~
13 2021 through June 30, ~~2021~~ 2022.

14
15 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

17 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
18 Residential Centers/Juvenile Detention shall be allocated in accordance with
19 rules and regulations established by the State Board of Education.

20 The provisions of this section shall be in effect only from July 1, ~~2020~~
21 2021 through June 30, ~~2021~~ 2022.

22
23 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

25 AUTHORITY. The Commissioner of the Department of Education, with the approval
26 of the Chief Fiscal Officer of the State and after approval by the Arkansas
27 Legislative Council or Joint Budget Committee, is hereby authorized to
28 request necessary appropriation transfers and any other budget related
29 adjustments necessary within the Department of Education. Provided, however,
30 that the Department of Education shall be limited to submitting no more than
31 two transfer requests during any fiscal year.

32 Determining the maximum number of employees and the maximum amount of
33 appropriation and general revenue funding for a state agency each fiscal year
34 is the prerogative of the General Assembly. This is usually accomplished by
35 delineating such maximums in the appropriation act(s) for a state agency and
36 the general revenue allocations authorized for each fund and fund account by

1 amendment to the Revenue Stabilization law. Further, the General Assembly
 2 has determined that the Department of Education may operate more efficiently
 3 if some flexibility is provided to the Commissioner of the Department of
 4 Education authorizing broad powers under the Transfer Authority provision
 5 herein. Therefore, it is both necessary and appropriate that the General
 6 Assembly maintain oversight by requiring prior approval of the Legislative
 7 Council or Joint Budget Committee as provided by this section. The
 8 requirement of approval by the Legislative Council or Joint Budget Committee
 9 is not a severable part of this section. If the requirement of approval by
 10 the Legislative Council or Joint Budget Committee is ruled unconstitutional
 11 by a court jurisdiction, this entire section is void.

12 The provisions of this section shall be in effect only from July 1, ~~2020~~
 13 2021 through June 30, ~~2021~~ 2022.

14

15 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
 17 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
 18 authorized herein to the Department of Education for the Quiz Bowl each
 19 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each
 20 fiscal year may be made available to the Department of Education -
 21 Educational Television Division for its documented costs associated with the
 22 Quiz Bowl.

23 The provisions of this section shall be in effect only from July 1, ~~2020~~
 24 2021 through June 30, ~~2021~~ 2022.

25

26 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 28 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
 29 Districts shall pay the teacher retirement employer contribution rate for any
 30 eligible employee in accordance with rules and regulations established by the
 31 Teacher Retirement Board of Directors. The appropriation contained herein for
 32 Teacher Retirement Matching each fiscal year shall be used to provide the
 33 employer matching for employees of the Cooperative Education Services Areas,
 34 Vocational Centers, Arkansas Easter Seals and the school operated by the
 35 Department of Correction.

36 The provisions of this section shall be in effect only from July 1, ~~2020~~

1 2021 through June 30, ~~2021~~ 2022.

2

3 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
 5 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
 6 authorized to expend a maximum of two percent (2%) of available funds for
 7 administration of the Better Chance Program. Up to 1.8% of available funds
 8 shall be used to administer the program and to monitor program grantees to
 9 ensure compliance with programmatic standards. Prior to the utilization of
 10 the remaining 0.2% of available funds, the Department of Education shall seek
 11 prior review and approval of the Arkansas Legislative Council or Joint Budget
 12 Committee by providing a written request to include the following: a) the
 13 Department’s reason(s) for the use of the funds and b) the amount of funds
 14 that will be expended. The Department may contract with the Division of
 15 Elementary and Secondary Education to administer the program.

16 Determining the maximum number of employees and the maximum amount of
 17 appropriation and general revenue funding for a state agency each fiscal year
 18 is the prerogative of the General Assembly. This is usually accomplished by
 19 delineating such maximums in the appropriation act(s) for a state agency and
 20 the general revenue allocations authorized for each fund and fund account by
 21 amendment to the Revenue Stabilization law. Therefore, it is both necessary
 22 and appropriate that the General Assembly maintain oversight by requiring
 23 prior approval of the Legislative Council or 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 The provisions of this section shall be in effect only from July 1, ~~2020~~
 30 2021 through June 30, ~~2021~~ 2022.

31

32 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
 34 TEACHER SALARY. The Arkansas Department of Education is requested to
 35 calculate Average Teacher Salary in the Department’s Annual Statistical
 36 Report to not include extra duty funds. Specifically, the Department is

1 requested to calculate the Average Teacher Salary amount using the National
2 Education Association definitions for Average Salary for Classroom Teachers.
3 The Arkansas Department of Education shall submit this data annually to the
4 National Education Association in accordance with that organization's
5 deadlines for submission for their report "Rankings and Estimates" which
6 includes state-by-state teacher salary comparisons.

7 The provisions of this section shall be in effect only from July 1, ~~2020~~
8 2021 through June 30, ~~2021~~ 2022.

9
10 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
12 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated
13 for the Arkansas Better Chance for School Success Program remaining on June
14 30, ~~2021~~ 2022, in the Division of Elementary and Secondary Education Public
15 School Fund Account shall be designated and retained for the Arkansas Better
16 Chance for School Success Program.

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

19 (1) Prior to June 30, ~~2021~~ 2022 the Agency shall by written statement set
20 forth its reason(s) for the need to carry forward said funding to the
21 Department of Finance and Administration Office of Budget;

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

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

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

4 The provisions of this section shall be in effect only from July 1, ~~2020~~
5 2021 through June 30, ~~2021~~ 2022.

6
7 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
9 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division may use up to
10 eleven dollars and twenty cents (\$11.20) from each contribution made under
11 Arkansas Code §6-17-1117(a) to offset the cost of health insurance premiums
12 to eligible members electing to participate in the public school employees'
13 health insurance program as a retiree.

14 The provisions of this section shall be in effect only from July 1, ~~2020~~
15 2021 through June 30, ~~2021~~ 2022.

16
17 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
20 shall transfer on his books and those of the State Treasurer and the State
21 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
22 fiscal year from the Division of Elementary and Secondary Education Public
23 School Fund Account to the University of Arkansas at Little Rock Fund,
24 specifically to provide funding for the Arkansas/STRIVE Program. The total
25 amount of funds transferred each fiscal year pursuant to this section shall
26 not be subject to any indirect costs by the University of Arkansas at Little
27 Rock.

28 The provisions of this section shall be in effect only from July 1, ~~2020~~
29 2021 through June 30, ~~2021~~ 2022.

30
31 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
33 INSURANCE. The appropriation contained herein for Public School Employee
34 Insurance each fiscal year shall be used to provide the state contribution
35 for insurance premiums for employees of the Cooperative Education Services
36 Areas, Vocational Centers, and the school operated by the Department of

1 Correction who participate in the Arkansas Public School Life and Health
 2 Insurance Program.

3 The provisions of this section shall be in effect only from July 1, ~~2020~~
 4 2021 through June 30, ~~2021~~ 2022.

5

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

8 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
 9 funding for Alternative Learning Environment Programs in excess of the
 10 regulatory limitation of six (6) hours per day for those programs that
 11 operate more than twelve hours per day, in a proportionate manner and upon
 12 special request to the Department of Education.

13 The provisions of this section shall be in effect only from July 1, ~~2020~~
 14 2021 through June 30, ~~2021~~ 2022.

15

16 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
 18 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
 19 public schools, or for abortion services. Funds shall be expended in
 20 accordance with Arkansas Code Annotated §6-18-703.

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

23

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

26 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.

27 Effective for the plan year beginning January 1, ~~2020~~ 2021, if ninety-eight
 28 percent (98%) of the uniform rate of tax used in the calculation of State
 29 Foundation Funding Aid for fiscal year ~~2020-2021~~ 2021-2022 exceeds nine
 30 hundred twenty million seven hundred thirty-one thousand eight hundred
 31 nineteen dollars (\$920,731,819), the Department of Education shall pay up to
 32 fifteen million dollars (\$15,000,000) of the total increase over the nine
 33 hundred twenty million seven hundred thirty-one thousand eight hundred
 34 nineteen dollars (\$920,731,819) to the Employee Benefits Division in
 35 additional health insurance contributions for eligible employees electing to
 36 participate in the public school employees' health insurance program

1 administered by the State and Public School Life and Health Insurance Board.

2 The Department of Education shall make the contributions by transferring
 3 funds to the division in quarterly installments. Funds provided by the
 4 Department of Education to the division under this section shall be
 5 administered by the board for the benefit of the employee participants of the
 6 public school employees' health insurance program.

7 The provisions of this section shall be in effect only from July 1, ~~2020~~
 8 2021 through June 30, ~~2021~~ 2022.

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 10 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 12 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
 13 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
 14 addition to funds already being provided for the Arkansas Governor's School,
 15 to fund the appropriation authorized from general revenue for the Gifted and
 16 Talented program as appropriated in the Grants and Aid to Local School
 17 Districts and Special Programs section herein. With this additional funding
 18 either the department shall increase the number of grants for AEGIS summer
 19 enrichment programs, or the duration of the Arkansas Governor's School shall
 20 be extended from four (4) weeks to six (6) weeks.

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

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 24 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
 26 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
 27 each fiscal year, an amount of not less than three million five thousand
 28 dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each
 29 fiscal year, shall be awarded through a grant or professional services
 30 contract for the EAST Initiative. Not less than one million dollars
 31 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or
 32 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST
 33 Initiatives shall be used for EAST infrastructure and personnel growth for
 34 the establishment of new programs. The remaining funding shall be used for
 35 existing EAST infrastructure, personnel, and operating expenses of the EAST
 36 Initiative. The EAST infrastructure grant or contract for personal services

1 and operating expenses shall be awarded to an entity that has personnel or
2 experience, or both, in implementing the EAST Initiative.

3 The provisions of this section shall be in effect only from July 1, ~~2020~~
4 2021 through June 30, ~~2021~~ 2022.

5
6 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
9 shall make available from the Intervention Block Grants appropriation
10 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
11 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
12 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for
13 grants up to \$1,000 each for students and chaperones, thirteen thousand five
14 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one
15 hundred thousand dollars (\$100,000) each fiscal year for the State History
16 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year
17 for a grant to the Arkansas Science Fair Association for grants to regional
18 and the state science fairs. The Department of Education shall allocate
19 General Revenue funding totaling no less than three hundred two thousand
20 dollars (\$302,000) each fiscal year from the Division of Elementary and
21 Secondary Education Public School Fund Account to support the annual expenses
22 of the Quiz Bowl, the Creativity in Arkansas, Inc. for grants up to \$1,000
23 each for students and chaperones, Destination Imagination, the State History
24 Day Competition, and the Arkansas Science Fair Association for grants to
25 regional and state science fairs. The Department shall either expend or have
26 committed for expenditure the monies allocated for the Quiz Bowl, Creativity
27 in Arkansas, Inc., Destination Imagination, the State History Day
28 Competition, and Arkansas Science Fair Association grants as authorized
29 herein in order to fulfill the provisions of this section.

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

36 (a) Of the total amount appropriated for Professional Development

1 Funding, three million five hundred thousand dollars (\$3,500,000) may be
 2 authorized by the Commissioner of the Department of Education to be used by
 3 the Department of Education to develop and implement statewide professional
 4 development support systems for teachers that will benefit student
 5 achievement.

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

- 9 (1) Annual expenditure information;
- 10 (2) Statistical information pertaining to users of the
 11 initiative;
- 12 (3) Course offerings;
- 13 (4) Course hours completed; and
- 14 (5) Certificates awarded.

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

- 17 (1) Governor;
- 18 (2) Legislative Council or, if the General Assembly is
 19 in session, the Joint Budget Committee;
- 20 (3) Senate Committee on Education;
- 21 (4) House Committee on Education; and
- 22 (5) Department of Finance and Administration.

23 (c) The provisions of this section shall be in effect only from July 1,
 24 ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

25
 26 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NSL
 28 MATCHING GRANT PROGRAM.

29 (a)(1) Of the appropriation and funding for the NSL MATCHING GRANT
 30 PROGRAM Item in the Grants and Aid to Local School Districts and Special
 31 Programs section of this Act, five million three hundred thousand dollars
 32 (\$5,300,000) shall be set aside by the Department of Education and shall be
 33 used for school district expenditures for evidence-based programs to improve
 34 academic achievement of identified national school lunch students.

35 (2) These programs shall be limited to:

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

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

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

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

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

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

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

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

SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E. ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in the Grants and Aid to Local School Districts and Special Programs section of this Act shall be used for the coordination of a statewide reading campaign with community partners, parents, and teachers to establish the importance of reading in homes, schools, and communities.

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

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR COMPENSATION REFORM SUB-FUND. ~~Upon the effective date of this Act, or as soon thereafter as practical, the Arkansas State Treasurer shall transfer \$60,000,000 from the Educational Adequacy Fund to the Public School Fund to~~

1 ~~be used solely for the implementation of the Educator Compensation Reform~~
 2 ~~Program.~~ Funds shall be kept separate from all other monies in the Public
 3 School Fund and are to be utilized over a four-year period, beginning July 1,
 4 2019, to assist school districts in ensuring that all educators in Arkansas
 5 public school districts receive a minimum annual salary of \$36,000 by July 1,
 6 2023. The Educator Compensation Reform Fund shall not be considered part of
 7 a school district's net legal balance or net legal balance revenues for the
 8 purpose of meeting the requirements on limitation of fund balances pursuant
 9 to A.C.A. 6-20-2210. The Arkansas Department of Education shall promulgate
 10 rules to administer this section.

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

13
 14 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ENHANCED
 16 STUDENT ACHIEVEMENT FUNDING NAME CHANGE. Any appropriation titled "ENHANCED
 17 STUDENT ACHIEVEMENT FUNDING" or abbreviated as "ESA" as named by SB605 of
 18 2019 may also be known as "NATIONAL SCHOOL LUNCH" funding or abbreviated as
 19 "NSL" and shall be used for the same purposes as set out in law.

20 The provisions of this section shall be in effect only from July 1, ~~2020~~
 21 2021 through June 30, ~~2021~~ 2022.

22
 23 SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 24 authorized by this act shall be limited to the appropriation for such agency
 25 and funds made available by law for the support of such appropriations; and
 26 the restrictions of the State Procurement Law, the General Accounting and
 27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 28 Procedures and Restrictions Act, or their successors, and other fiscal
 29 control laws of this State, where applicable, and regulations promulgated by
 30 the Department of Finance and Administration, as authorized by law, shall be
 31 strictly complied with in disbursement of said funds.

32
 33 SECTION 34. LEGISLATIVE INTENT. It is the intent of the General
 34 Assembly that any funds disbursed under the authority of the appropriations
 35 contained in this act shall be in compliance with the stated reasons for
 36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.
5

6 SECTION 35. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly, that the Constitution of the State of Arkansas prohibits
8 the appropriation of funds for more than a one (1) year period; that the
9 effectiveness of this Act on July 1, 2021 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the legislative session, the delay in the
12 effective date of this Act beyond July 1, 2021 could work irreparable harm
13 upon the proper administration and provision of essential governmental
14 programs. Therefore, an emergency is hereby declared to exist and this Act
15 being necessary for the immediate preservation of the public peace, health
16 and safety shall be in full force and effect from and after July 1, 2021.

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