A Bill

HOUSE BILL 1485

By: Representative Eubanks
By: Senator J. Sturch

For An Act To Be Entitled

AN ACT CONCERNING PUBLIC SCHOOL FUNDING; TO AMEND
PROVISIONS OF THE ARKANSAS CODE WITH RESPECT TO
PUBLIC SCHOOL FUNDING; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE
WITH RESPECT TO PUBLIC SCHOOL FUNDING.

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

SECTION 1. Arkansas Code § 6-20-2305(b)(4)(C), concerning approved
programs and purposes for which funds allocated under this section may be
expended, is amended to read as follows:

(C)(i)(a) The State Board of Education shall establish by
rule a list of approved programs and purposes for which funds allocated under
this subdivision (b)(4) may be expended.

(b) School districts shall expend funds
allocated under this subdivision (b)(4) only on for the programs or purposes
on the State Board of Education’s list of approved programs and purposes for
which funds allocated under this subdivision (b)(4) may be expended, which
shall include, but are not limited to including without limitation:

(1) Classroom teachers, provided that if
the school district meets the minimum salary schedule in under § 6-17-2403
without using funds provided under this subdivision (b)(4) and that those
teachers are used for the purposes delineated in this subdivision (b)(4);

(2) Before-school academic programs and
after-school academic programs, including without limitation transportation
to and from the before-school academic programs and after-school academic
programs;

(3) Prekindergarten programs coordinated
by the Department of Human Services;

(4) Tutors, teachers' aides, counselors,

social workers, nurses, and curriculum specialists;

(5) Parent education;

(6) Summer programs;

(7) Early intervention programs;

(8) Materials, supplies, and equipment,
including without limitation technology used in-approved programs or for
approved purposes for programs or purposes on the State Board of Education's
list of approved programs and purposes for which funds allocated under this
subdivision (b)(4) may be expended;

(9) Federal child nutrition programs, to
the extent necessary to provide school meals without charge to all students
under the United States Department of Agriculture Special Assistance
Alternative “Provision 2” program under 42 U.S.C. § 1759a, as it existed on
July 1, 2011;

(10) Federal child nutrition programs,
to the extent necessary to provide school meals without charge to students
otherwise eligible for reduced-price meals under the United States Department
of Agriculture's National School Lunch Program or School Breakfast Program;

(11) Expenses directly related to
funding a longer school day;

(12) Expenses directly related to
funding a longer school year;

(13) Partnering with state-supported
institutions of higher education and technical institutes to provide
concurrent courses or technical education options for academic learning to
students while those students are still in high school so that the students
are college-ready and career-ready upon graduation from high school;

(14) Teach For America, Inc.,
professional Professional development as identified in the school district's
support plan required under § 6-15-2914;
(15) Implementing components of the Arkansas Advanced Initiative for Math and Science, Inc.;

(16) The College and Career Coaches Program, as administered by the Department of Career Education under § 6-1-601 et seq.; and

(17) Implementing a school-wide evidence-based program intended to close achievement gaps with an arts-infused curriculum.

(18) Dyslexia programs and interventions under § 6-41-601 et seq.; and

(19) Recruiting and retaining effective teachers, if the school district meets the minimum salary schedule under § 6-17-2403 without using funds provided under this subdivision (b)(4), by implementing:

(A)(i) Approaches identified within the school district's support plan required under § 6-15-2914 to address a disproportionate rate of low-income students or minority students being taught by ineffective teachers, teachers who teach out of their licensure content area, or inexperienced teachers, either within the school district or as compared to surrounding school districts, including without limitation strategies:

(a) For reassignment;

(b) For differentiated pay plans to address identified shortage areas; and

(c) For addressing teacher recruitment and retention, as recommended by the Department of Education, including without limitation models for:

(1) Effective use of teacher leaders;

(2) Cultural responsiveness training; and

(3) Equity audits.

(ii) A school district's support plan under this subdivision (b)(4)(C)(i)(b)(19)(A) shall include without limitation how the school district identified gaps in equitable
access to effective teachers through a review of school district and school-
level data, student growth data, a root-cause analysis, research of the
strategies used to address the identified gaps, and the measures of the
effectiveness of the strategies used, including without limitation student
growth data; and

(B) Levels of differentiated
compensation that increase classroom teacher salaries based on a tiered
system of licensure established by the State Board of Education under § 6-17-
402.

(ii) School districts that have met the needs of
students for whom the funding is provided for additional educational
categories under this subsection and that have excess national school lunch
student-categorical funds provided under this subdivision (b)(4) may use the
excess national school lunch student-categorical funds to supplement all
classroom teacher salaries under the following conditions:

(a) The school district shall not use any
portion of the national school lunch student-categorical funds that are carry
forward or reserve funds to supplement classroom teacher salaries;

(b) The school district shall meet the minimum
teacher salary schedule under § 6-17-2403 without using national school lunch
student-categorical funds;

(e) The school district shall comply with the
Standards for Accreditation of Arkansas Public Schools and School Districts
established under The Quality Education Act of 2003, § 6-15-201 et seq., and
the Arkansas Fiscal Assessment and Accountability Program under § 6-20-1901
et seq., without using national school lunch student-categorical funds; and

(d) The school district shall agree that it
shall not allocate or use any excess national school lunch student
categorical funds in any manner except as a bonus to the salary of classroom
teachers.

(iii) The school district shall include with its
comprehensive school improvement plan a written detailed statement concerning
how the school district will use its excess national school lunch categorical
funds each school year and explaining in detail the amount of funds and
percent of total funds to be used to supplement all classroom teacher
salaries as allowed in subdivision (b)(4)(C)(ii) of this section.
(iv)(a)(ii) Upon review of the school district's school-level improvement support plan required under § 6-15-2914, if the Commissioner of Education determines that the school district has met the needs of students in the school district for whom the funding for additional educational categories under this subsection is provided, has met the requirements of subdivisions (b)(4)(C)(ii) and (iii) of this section, and has prudently managed its resources, the commissioner shall give written approval of the detailed planned flexible use of excess national school lunch student state categorical funds provided to the school district for up to two (2) years.

(b) The school district shall not use its excess national school lunch categorical funds for classroom teacher salaries as provided in subdivision (b)(4)(C)(ii) of this section unless:

(1) The commissioner provides the written approval required under subdivision (b)(4)(C)(iv)(a) of this section; and

(2) Funds allocated under this subdivision (b)(4) are available.

(v) The excess national school lunch student categorical funds used to supplement the salary of a classroom teacher shall only be used as a nonrecurring bonus to a classroom teacher's salary for any given school year and shall not be considered a permanent obligation under the school district's teacher salary schedule or as contract obligations of any classroom teacher or employee of the school district.

(vi)(iii) Notwithstanding any other provision of law, if the Department of Education determines that a school district's expenditure of funds allocated under this subdivision (b)(4) would result in the school district's losing funding under any federal law, then the funds allocated to a school district under this subdivision (b)(4) may be expended for other academic programs or salaries.

(vi)(iv) The Department of Education may direct that a school district expend available funds on specified programs under subdivision (b)(4)(C)(i) of this section.

(vi)(v)(a) By September 15 of each school year, a school district shall submit to the Department of Education a report for the immediately preceding school year listing each program upon which funds
allocated under this subdivision (b)(4) were expended, the amount expended, 
and any other information required by the Department of Education on 
concerning the use of funds allocated under this subdivision (b)(4).

(b) The Department of Education shall develop 
appropriate reporting forms for use by school districts to comply with 
subdivision (b)(4)(C)(viii)(a) (b)(4)(C)(v)(a) of this section.

(ix) Beginning with the 2007-2008 school year and 
each school year thereafter, any school district that used or applied 
restricted national school lunch student categorical funds as a supplement 
for salaries of classroom teachers in a school district during the 2006-2007 
school year under subdivision (b)(4)(C)(i)(b) of this section shall either:

(a) Remove the use of all national school 
lunch student categorical funds immediately as a supplement to classroom 
teacher salaries; or

(b) Begin the process of removing the use or 
application of national school lunch student categorical funds as part of an 
obligated salary schedule in the following manner:

(1) A school district shall reduce each 
current school year by twenty percent (20%) the amount of national school 
lunch student categorical funds received and used in the prior school year by 
the school district as a supplement to classroom teacher salaries and shall 
continue this reduction in the application of national school lunch student 
categorical funds as a supplement to classroom teacher salaries until the 
school district has no more than twenty percent (20%) of the total of any 
current year of all national school lunch student categorical funds received 
by a school district applied and used as a supplement to classroom teacher 
salaries for a current school year;

(2) No school district shall be allowed 
to use or consider reserve or carry forward national school lunch student 
categorical funds as a supplement to classroom teacher salaries;

(3) The school district shall meet the 
minimum teacher salary schedule under § 6-17-2403 without using national 
school lunch student categorical funds;

(4) The school district shall comply 
with the Standards for Accreditation of Arkansas Public Schools and School 
Districts established under The Quality Education Act of 2003, § 6-15-201 et
seq., without using national school lunch categorical funds;

(5) The school district shall include with its school-level improvement plan a written detailed narrative or plan concerning how the school district will use its excess national school lunch categorical funds each school year and explaining in detail the amount of funds and percent of total funds to be used to supplement all classroom teacher salaries as allowed in this subdivision (b)(4)(C)(ix);

(6) Upon review of the school district’s school-level improvement plan, if the commissioner determines that the school district has met or is meeting the needs of students in the school district for whom the funding for additional educational categories under this subdivision (b)(4)(C)(ix) is provided, and has prudently managed its resources, the commissioner shall give written approval of the detailed planned flexible use of excess national school lunch student categorical funds provided to the school district; and

(7) Upon review of the school district’s school-level improvement plan and other indicators, if the commissioner determines that a school district has not met the needs of students that may be served with national school lunch student categorical funds, the commissioner may require that any and all national school lunch categorical funds dedicated for use or application in the teachers’ salary fund shall be removed from and not used to meet the classroom teacher salary obligation and redirected and applied to meet the needs of students in a school district.

**(vi)** Each school district shall submit to the Department of Education a report listing each program and purpose upon which funds allocated under this subdivision (b)(4) were expended, the amount expended, and any other information required by the Department of Education concerning the receipt and use of funds allocated under this subdivision (b)(4).

**(ix)** No provision of subdivision (b)(4)(C)(ix) of this section shall be deemed to prohibit a school district from participating in the provisions of subdivisions (b)(4)(C)(ii)-(viii) of this section.

**(ix)(vii)** The Department of Education shall promulgate rules and develop appropriate reporting forms for use by school districts to comply with this subdivision (b)(4)(C).

APPROVED: 3/20/19
A Bill

SENATE BILL 605

For An Act To Be Entitled

AN ACT CONCERNING NATIONAL SCHOOL LUNCH STATE CATEGORICAL FUNDING; TO AMEND THE NAME OF NATIONAL SCHOOL LUNCH STATE CATEGORICAL FUNDING; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE NAME OF NATIONAL SCHOOL LUNCH STATE CATEGORICAL FUNDING.

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

SECTION 1. Arkansas Code § 6-15-2701(b) and (c), concerning the closing the achievement gap program, are amended to read as follows:

(b)(1) A school district that has a chronically underperforming school shall use its national school lunch state categorical funding Enhanced Student Achievement Funding under § 6-20-2305(b)(4) to evaluate the impact of educational strategies used by the chronically underperforming school to address the achievement gaps among students in the chronically underperforming school.

(2) The evaluation shall:

(A) Identify the categories of programs and intervention strategies used with national school lunch state categorical funding Enhanced Student Achievement Funding; and

(B) Report the benchmark assessment scores for the end of the immediately preceding school year and for the end of the current school year of students involved in the programs and intervention strategies identified under this subdivision (b)(2).
(c) The Department of Education shall:

(1) Promulgate rules necessary to implement this section, including without limitation establishing the categories by which a chronically underperforming school shall identify programs and intervention strategies under subsection (b) of this section;

(2) In a chronically underperforming school's comprehensive school improvement plan, direct the use of national school lunch state categorical funding Enhanced Student Achievement Funding for strategies to close gaps in academic achievement, including without limitation:

(A) Using an Arkansas Scholastic Audit;

(B) Using disaggregated school data to set academic improvement targets in reading, writing, mathematics, and science;

(C) Using improvement targets to define professional development needs related to content, instruction, differentiation, and best practices in educating special education students, gifted and talented students, English language learners, and other student subgroups as needed;

(D) Developing interim building-level assessments to monitor student progress toward proficiency on the state benchmark assessments;

(E) Developing a plan to immediately address gaps in learning;

(F) Examining and realigning, as needed, school scheduling, academic support systems, and assignments of personnel; and

(G) Designing a plan for increasing parental knowledge and skill to support academic objectives; and

(3) By August 1 of each year, report to the House Committee on Education and the Senate Committee on Education on:

(A) The use of national school lunch state categorical funding Enhanced Student Achievement Funding by chronically underperforming schools in the state; and

(B) The status of the achievement gaps at chronically underperforming schools in the state.

SECTION 2. Arkansas Code § 6-15-2907(a)(4)(C), concerning the statewide student assessment system, is amended to read as follows:

(C) Public school districts may offer additional college
and career readiness assessments for students in grades ten through twelve (10-12) at no cost to the student by using public school district funding, including without limitation national school lunch state categorical funding Enhanced Student Achievement Funding under § 6-20-2305.

SECTION 3. Arkansas Code § 6-20-2305(b)(4)(A) and (B), concerning the calculation of national school lunch state categorical funding, are amended to read as follows:

(4)(A) National school lunch state categorical funding **Enhanced** Student Achievement Funding for each identified national school lunch student shall be as follows:

(i) For a public school district in which ninety percent (90%) or greater of the previous school year's enrolled students are national school lunch students, the amount of per-student national school lunch state categorical funding **Enhanced Student Achievement Funding** is for each school year, one thousand five hundred seventy-six dollars ($1,576);

(ii) For a public school district in which at least seventy percent (70%) but less than ninety percent (90%) of the previous school year's enrolled students are national school lunch students, the amount of per-student national school lunch state categorical funding **Enhanced Student Achievement Funding** is for each school year, one thousand fifty-one dollars ($1,051); and

(iii) For a public school district in which less than seventy percent (70%) of the previous school year's enrolled students are national school lunch students, the amount of per-student national school lunch state categorical funding **Enhanced Student Achievement Funding** is for each school year, five hundred twenty-six dollars ($526).

(B)(i)(a) Except as provided under subdivision (b)(4)(B)(i)(c) of this section, national school lunch state categorical funding **Enhanced Student Achievement Funding** under this subdivision (b)(4) shall be based on the number of national school lunch students for the immediately preceding school year determined under § 6-20-2303(13)(A).

(b) If the public school district is participating under 42 U.S.C. § 1759a, funding under this subdivision (b)(4) is based on the percentage determined in § 6-20-2303(13)(B) multiplied by the number of enrolled students for the immediately preceding school year.
(c) The per-student national school lunch state categorical funding Enhanced Student Achievement Funding for an open-enrollment public charter school shall be based upon the current school year enrollment:

(1) In the initial year of operation for an open-enrollment public charter school; or

(2) In a year in which an open-enrollment public charter school adds a grade.

(ii)(a) If a public school district will receive in the current school year national school lunch state categorical funding Enhanced Student Achievement Funding under subdivision (b)(4)(A) of this section that is based on a different per-student amount of national school lunch state categorical funding Enhanced Student Achievement Funding than the public school district received in the immediately preceding school year, due to a percentage change in national school lunch students, the Department of Education shall adjust the funding to the public school district in a transitional three-year period.

(b) The amount of national school lunch state categorical funding Enhanced Student Achievement Funding under this subdivision (b)(4)(B)(ii) shall be increased or decreased in each year of a three-year transition period by one-third (1/3) of the difference between the amount of national school lunch state categorical funding Enhanced Student Achievement Funding per student for the current year and the amount of national school lunch state categorical funding Enhanced Student Achievement Funding per student for the immediately preceding year, adjusted for changes to the funding rates in subdivision (b)(4)(A) of this section.

(iii)(a) The Department of Education shall establish rules to implement the transitional national school lunch state categorical funding Enhanced Student Achievement Funding provided in subdivision (b)(4)(B)(ii) of this section.

(b) The rules shall include the methods of transition for a school district that:

(1) Experiences a decrease in the amount of national school lunch state categorical funding Enhanced Student Achievement Funding per student under subdivision (b)(4)(A) of this section;

(2) Experiences an increase in the
amount of national school lunch state categorical funding Enhanced Student Achievement Funding per student under subdivision (b)(4)(A) of this section; or

(3) Within a three-year transition period, experiences both a decrease and an increase in the amount of national school lunch state categorical funding Enhanced Student Achievement Funding per student under subdivision (b)(4)(A) of this section.

(iv) Under no circumstances shall a public school district be entitled to receive more or less funding Enhanced Student Achievement Funding as a result of the transitional process than the public school district is otherwise entitled to receive under this subdivision (b)(4) based on the school district’s national school lunch student population as a percentage of the public school district’s entire student population.

(v)(a) A public school district that has experienced a significant growth in enrolled students in the previous three (3) years shall receive funding for the expected increase in the number of national school lunch students based on the expected increase in enrolled students based on the levels of funding provided in this section for national school lunch students.

(b) The State Board of Education shall establish rules to be used by the Department of Education to determine:

(1) The amount of growth necessary to qualify as significant growth;

(2) The expected increase in the number of national school lunch students based on the expected increase in enrolled students; and

(3) Which public school districts have experienced a significant growth in enrolled students as necessary to qualify for funding under this subdivision (b)(4)(B)(v).

(c) The Department of Education shall not be required to adjust or fund a public school district’s national school lunch students based on the current year’s number of national school lunch students enrolled in the public school district or the average growth of students in the public school district.
SECTION 4. Arkansas Code § 6-23-501(a)(3), concerning the distribution of national school lunch state categorical funding to an open-enrollment public charter school, is amended to read as follows:

(3) National school lunch state categorical funding Enhanced Student Achievement Funding under § 6-20-2305(b)(4) shall be provided to an open-enrollment public charter school as follows:

(A) For the first year of operation, the first year operating under a new license, the first year adding a new campus, and in any year when a grade is added at any campus, free or reduced-price meal eligibility data as reported by October 1 of the current school year will be used to calculate the national school lunch state categorical funding Enhanced Student Achievement Funding under the state board rules governing special needs funding; and

(B) For the second year and each school year of operation thereafter, the previous year's October 1 national school lunch student count as specified in state board rules governing special needs funding will be used to calculate national school lunch state categorical funding Enhanced Student Achievement Funding for the open-enrollment public charter school.

APPROVED: 4/17/19
Stricken language would be deleted from and underlined language would be added to present law.
Act 936 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

By: Senator J. English
By: Representative Cozart

For An Act To Be Entitled
AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING PUBLIC SCHOOL EDUCATION; AND FOR OTHER
PURPOSES.

Subtitle
TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING PUBLIC SCHOOL EDUCATION.

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

SECTION 1. Arkansas Code § 6-5-904(b)(3)(B)(i), concerning positive youth development grant applications, is amended to read as follows:
(i) The applicant operates or will operate the program within the geographic boundaries of a public school district that contains at least one (1) school in-school-improvement, as designated identified as targeted or comprehensive by the Department of Education; and

SECTION 2. Arkansas Code § 6-5-904(d)(2)(B), concerning positive youth development grant applications, is amended to read as follows:
(B) A public school district has been designated by identified to receive Level 5 — Intensive support from the department as being in-school-improvement.

SECTION 3. Arkansas Code § 6-13-112(c), concerning responsibilities of the State Board of Education and Commissioner of Education regarding school districts under state authority, is amended to read as follows:
(c) A person appointed by the state board or the commissioner to operate a school district under the authority of the state board or the commissioner shall not have previously been an administrator responsible for a school district that was placed in fiscal distress, academic distress, facilities distress, Level 5 - Intensive support, or in violation of the Standards for Accreditation of Arkansas Public Schools and School Districts.

SECTION 4. Arkansas Code § 6-13-112(e), concerning responsibilities of the State Board of Education and Commissioner of Education regarding school districts under state authority, is repealed.

(e) Before the appointment of an interim school district board of directors, permanent school district board of directors, or community advisory board for the school district under the authority of the state board or the commissioner, the commissioner or the state board through the commissioner shall seek recommendations for individuals to serve as members of the interim school district board of directors, permanent school district board of directors, or community advisory board from the members of the General Assembly who represent the area in which the school district is located.

SECTION 5. Arkansas Code § 6-13-1305(4), concerning school district policy, is amended to read as follows:

(4) School School-level improvement plans, including the form and function of strategic planning and its relationship to school district planning;

SECTION 6. Arkansas Code § 6-13-1403(a)(1), concerning conditions under which the State Board of Education may annex school districts, is amended to read as follows:

(1) The state board, after providing thirty (30) days' written notice to the affected school districts, determines that annexation is in the best interest of the affected district or districts and the receiving district based upon failure to meet standards for accreditation or failure to meet academic, fiscal, or facilities distress requirements, or failure to meet the requirements to exit Level 5 - Intensive support pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive...
SECTION 7. Arkansas Code § 6-13-1403(b)(1), concerning conditions under which the State Board of Education may annex school districts, is amended to read as follows:

(1) The state board, after providing thirty (30) days written notice to the affected districts, may on its own motion based on a school district's failure to meet standards for accreditation, or failure to meet academic or fiscal distress requirements, or failure to meet the requirements to exit Level 5 - Intensive support pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., and the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq., and the Arkansas Educational Support and Accountability Act, § 6-15-2901 et seq.; or

SECTION 8. Arkansas Code § 6-13-1404(a)(1), concerning conditions under which the State Board of Education may consolidate school districts, is amended to read as follows:

(1) The state board, after providing thirty (30) days' written notice to the affected school districts, determines consolidation is in the best interest of the affected district or districts and the resulting district based upon failure to meet standards for accreditation, or academic, failure to meet fiscal, or facilities distress requirements, or failure to meet the requirements to exit Level 5 - Intensive support, pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq., and the Arkansas Public School Academic Facilities Program Act, § 6-21-801 et seq., and the Arkansas Educational Support and Accountability Act, § 6-15-2901 et seq.; or

SECTION 9. Arkansas Code § 6-13-1404(b)(1), concerning conditions
under which the State Board of Education may consolidate school districts, is
amended to read as follows:

(1) After providing thirty (30) days written notice to the
affected districts, may consolidate school districts upon its own motion
based upon a school district’s failure to meet standards for accreditation, or academic or failure to meet fiscal distress requirements, or failure to
meet the requirements to exit Level 5 - Intensive support pursuant to The
Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive
Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., and
the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et
seq., and the Arkansas Educational Support and Accountability Act, § 6-15-
2901 et seq.; or

SECTION 10. Arkansas Code § 6-13-1411(b), concerning use of fund
balances, is amended to read as follows:

(b) The provisions of this section shall not apply if the
consolidation or annexation is because of the school district’s failure to
meet standards for accreditation, or failure to meet academic, fiscal, or
facilities distress requirements, or failure to meet the requirements to exit
Level 5 - Intensive support pursuant to The Quality Education Act of 2003, §
6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and
Accountability Program Act, § 6-15-401 et seq., the Arkansas Fiscal
Assessment and Accountability Program, § 6-20-1901 et seq., and the Arkansas
Public School Academic Facilities Program Act, § 6-21-801 et seq., and the
Arkansas Educational Support and Accountability Act, § 6-15-2901 et seq.

SECTION 11. Arkansas Code § 6-13-1613(a)(3)(D), concerning minimum
school district size waiver, is amended to read as follows:

(D) A statement of assurance that the school district is
not currently classified in academic distress Level 5 - Intensive support,
fiscal distress, or facilities distress.

school district size waiver, is amended to read as follows:

(A) The school district is not currently classified in
academic distress Level 5 - Intensive support, fiscal distress, or facilities
distress;

SECTION 13. Arkansas Code § 6-15-202(f)(7), concerning accreditation, is amended to read as follows:

(7) Section 6-15-401 et seq. concerning the Arkansas Comprehensive Testing, Assessment, and Accountability Program 6-15-2901 et seq. concerning the Arkansas Educational Support and Accountability Act;

SECTION 14. Arkansas Code § 6-15-1003(c)(2), concerning academically competent students, is amended to read as follows:

(2) School districts, schools, and students shall participate in the state assessments in the basic core of knowledge and skills as defined by the Department of Education in the Arkansas Comprehensive Testing, Assessment, and Accountability Program Arkansas Educational Support and Accountability Act, § 6-15-2901 et seq.

SECTION 15. Arkansas Code § 6-15-1005(e)(2), concerning safe, equitable, and accountable public schools, is amended to read as follows:

(2) Every school will develop and implement a data-driven school-level improvement plan based on these analyses that leads to increased student achievement and continuous school improvement; and

SECTION 16. Arkansas Code § 6-15-1005(f)(3), concerning safe, equitable, and accountable public schools, is amended to read as follows:

(3) Every school will involve parents in developing school goals and priorities and evaluating the effectiveness of the school-level improvement plan.

SECTION 17. Arkansas Code § 6-15-1005(g)(2), concerning safe, equitable, and accountable public schools, is amended to read as follows:

(2) All schools will participate in the Arkansas Comprehensive Testing, Assessment, and Accountability Program Arkansas Educational Support and Accountability Act, § 6-15-2901 et seq.

SECTION 18. Arkansas Code § 6-15-1005(g)(5), concerning safe,
equitable, and accountable public schools, is amended to read as follows:
(5) Each school will issue a school achievement report to the
community on all state-required statewide student assessments.

SECTION 19. Arkansas Code § 6-15-1005(h)(3), concerning safe,
equitable, and accountable public schools, is amended to read as follows:
(3) In order for administrators to be able to renew a license,
they must have participated in a continuing education and professional
development program based on their school school-level improvement plans,
performance evaluation results, and student achievement scores.

school performance report, is amended to read as follows:
(ii) Norm-referenced test Statewide student
assessment results;

school performance report, is repealed.
(iii) Augmented, criterion-referenced, or norm-
referenced-assessment results;

SECTION 22. Arkansas Code § 6-15-1402(b)(3)(A)(ii), concerning the
school performance report, is amended to read as follows:
(ii) Norm-referenced test Statewide student
assessment results;

SECTION 23. Arkansas Code § 6-15-1402(b)(3)(A)(iii), concerning the
school performance report, is repealed.
(iii) Augmented criterion-referenced assessment
results;

school performance report, is repealed.
(xiv) Student participation in the Arkansas College
and Career Readiness Planning Program under § 6-15-441; and

(i)—Highly-qualified teacher;

SECTION 26. Arkansas Code § 6-15-1402(d)(2), concerning the school performance report, is amended to read as follows:

(2) Explore the feasibility of incorporating the school school-level improvement plans developed by schools and school district support plans developed by school districts with the school performance reports.

SECTION 27. Arkansas Code § 6-15-1402(e), concerning the school performance report, is amended to read as follows:

(e) The school performance report shall not include individual student information if the information is reported in a manner that would identify a particular student except as permitted under the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g, as in effect on January 1, 2017.


(a)(1) The State Board of Education shall ensure that any revisions made to the Arkansas Academic Content Standards and Curriculum Framework process is to be aligned to the state assessment system for core academic areas of reading, writing, mathematics, science, and social studies as funding permits.

(2) All end-of-course tests shall be aligned with the content standards and curriculum frameworks.

(b) All other components of the Arkansas Comprehensive Testing Assessment, and Accountability Program should be aligned with the Arkansas Academic Content Standards and Curriculum Framework process.


6-15-1602. Students who have been placed at risk of academic failure—personal education plans.

(a)(1) Local school districts shall identify students in all grades who have been placed at risk of academic failure and shall implement a personal education plan for academic improvement with focused intervention.
and performance benchmarks.

(2) Identification shall occur as early as can reasonably be
done and can be based on grades, observations, and other factors that
teachers and administrators consider appropriate without having to await the
results of end-of-grade or end-of-course tests.

(b)(1) At the beginning of the school year, a personal education plan
shall be developed for any student not performing at least at grade level, as
identified by the state end-of-grade test.

(2) If a student's performance appears to be falling below state
proficiency standards at any time during the school year, a personal
education plan shall be developed.

(c) Focused intervention and acceleration activities may include,
among other things, summer school, Saturday school, and extended days.

(d) Local school districts shall provide the activities identified in
subsection (c) of this section, and transportation, free of charge to
students.

SECTION 30. Arkansas Code § 6-15-1704(b)(1)(C)(i) and (ii), concerning
parental involvement plans, are amended to read as follows:

(i) School improvement for two (2) consecutive
school years Level 4 - Directed support; or

(ii) Academic distress Level 5 - Intensive support.


The State Board of Education shall establish a comprehensive program
for student progression that shall include:

(i) Standards for evaluating each student's performance,
including the student's mastery level with respect to the academic content
standards;

(ii) Specific levels of performance in reading, writing, and
mathematics for each grade level and specific proficiency levels of
performance on statewide assessments, including end-of-course examinations,
below which a student shall be remediated within an intensive program that is
different from the previous year's program and that takes into account the
student's learning style, and
(3) Appropriate alternative education intervention programs as developed by the local school district in compliance with state and federal law and approved by the Department of Education for a student who has been retained two (2) consecutive years.

SECTION 32. Arkansas Code § 6-15-2004(a)(2), concerning reading deficiency and parental notification, are amended to read as follows:

(2)(A) Any student who exhibits a substantial deficiency in reading, based upon statewide assessments conducted in grades kindergarten through two (K-2), or through teacher observations, shall be given intensive reading instruction utilizing a reading program approved by the State Board of Education based on the science of reading as soon as practicable following the identification of the reading deficiency.

(B) The student's reading proficiency shall be reassessed by utilizing assessments within the state board-approved reading program.

(C) The student shall continue to be provided with intensive reading instruction until the reading deficiency is corrected.

SECTION 33. Arkansas Code § 6-15-2006(b) and (c), concerning the student progression annual report, are amended to read as follows:

(b)(1) A school district board of directors shall publish annually in the local newspaper the school performance report required by § 6-15-1402 and report in writing to the State Board of Education § 6-15-2101 on its website, with the option of also publishing it in the local newspaper, by October 15 of each year, and the following information on the prior school year or the latest information available:

(1)(A) By grade level, economic status, and ethnicity, the number and percentage of all students in kindergarten through grade twelve (K-12) performing at each category level on the state-mandated examinations statewide student assessment, the percentile rankings by school and grade level on any other assessments as required by the state board State Board of Education, the number of students taking advanced placement courses or courses offered under the International Baccalaureate Diploma Programme, the number taking the advanced placement exams, and the percent of students making a 3, 4, or 5 on advanced placement exams;

(2)(B) By grade level, the number and percentage of all
students retained in grades one through eight (1-8);

(3)(C) The graduation rate, grade inflation rate, drop-out rate for grades nine through twelve (9-12), and college remediation rate;

(4)(D) The number of students transferring pursuant to the unsafe school provision of § 6-15-432 § 6-18-320; and


(2) The school performance report shall be easily identifiable on the website.

(c) A printed copy of the school performance report under § 6-15-2101 shall be made available upon request.

(d) This section shall apply to the extent that it is not in violation of applicable state or federal law.

SECTION 34. Arkansas Code § 6-15-2009 is repealed.


(a)(1) Each student shall participate in the statewide program of educational assessment required in §§ 6-15-419, 6-15-433, and this section and by the State Board of Education.

(2) Each student in grades three through eight (3-8) shall participate in assessments required in §§ 6-15-419, 6-15-433, and this section and by the state board.

(3) Students in appropriate grades shall participate in the end-of-course assessments and college and career readiness measurements required by §§ 6-15-419 and 6-15-433 as established by the state board and this section.

(4)(A) The State Board of Education shall determine the requisite scale score of student performance on each assessment or measurement required in subdivisions (a)(1)-(3) of this section.

(B) The State Board of Education shall make its determination of the requisite scale score of student performance on college and career readiness measurements used for college placement in conjunction with the Arkansas Higher Education Coordinating Board.

(b)(1) A student identified as not meeting the satisfactory pass levels in the immediate previously administered state mandated assessment shall participate in the remediation activities as required in the student's
academic improvement plan beginning in the school year the assessment results are reported.

(2) The Department of Education may determine that an individualized education program for a student with disabilities identified under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., meets the requirements of an academic improvement plan under this section if the individualized education program addresses one (1) or more academic areas in which the student is not proficient on state-mandated assessments.

(3)(A) The public school district where the student is enrolled shall notify the student's parent, guardian, or caregiver of the parent's role and responsibilities as well as the consequences for the student's failure to participate in the plan.

(B) This notice may be provided via student handbooks issued to students.

(4) A student in grades three through eight (3-8) identified as not passing a state-mandated assessment and who fails to participate in the subsequent academic improvement plan shall be retained and shall not be promoted to the next appropriate grade until:

(A) The student is deemed to have participated in an academic improvement plan;

(B) The student passes the state-mandated assessment for the current grade level in which the student is retained.

(c)(1) A student required to take an end-of-course assessment who is identified as not meeting the requisite scale score for the end-of-course assessment shall participate in the remediation activities as required in the student’s academic improvement plan in the school year that the assessment results are reported in order to receive academic credit on his or her transcript for the course related to the end-of-course assessment.

(2) The academic improvement plan shall include remediation activities focused on those areas in which a student failed to meet the requisite scale score of an end-of-course assessment.

(3) A student who is identified as not meeting the requisite scale score for an end-of-course assessment shall not receive academic credit on his or her transcript for the course related to the end-of-course assessment until the student is identified as having participated in...
(d)(1) The state board may require remediation activities and an academic improvement plan for a student in grades in which a state-mandated assessment is required.

(2) The state board may require that the academic improvement plan include one (1) or more opportunities for a student to retake the measurement.

(3) For the purpose of a college- and career-readiness measurement, remediation shall not require that a student pass a subsequent college- and career-readiness measurement in order to graduate from an Arkansas high school.

(e)(1) The end-of-course assessment program shall be maintained in such a manner as to meet the requirements of state and federal law, including the full range of students with disabilities.

(2)(A) The superintendent of each public school district shall be responsible for the proper administration of this section and the rules promulgated by the state board to implement the requirements of this section.

(B) To the extent that a public school district is determined to have knowingly failed to administer these provisions of law or rules, the superintendent's license shall be subject to probation, suspension, or revocation under § 6-17-410.

(3) Each year the department shall make public item and task prototypes for the English-language arts and mathematics assessments required by this section or a selection of actual items and tasks from the most recent assessments.

(4)(A) The state board shall promulgate rules to establish cut scores, remediation programs required in this section, and other components of the state assessment program necessary to administer the provisions of this section.

(B) Remedial activities and instruction provided during high school shall not be in lieu of English language arts, mathematics, science, history, or other core courses required for graduation.

(5) Each school year, the department shall establish and publish by commissioner's memo an assessment cycle for state required assessments that a public school district shall follow unless the public school district has obtained a written waiver from the department.
(6)(A) The department shall develop the form of end-of-course assessments and subsequent end-of-course assessments with the documents, manuals, forms, and protocols necessary for the proper administration, completion, submission, and scoring of the assessment.

(8) The assessment shall be composed of sections that may include both multiple choice and open response test items.

(7) For the 2009-2010 school year and each school year thereafter, the department shall take steps to ensure that the end-of-course assessments are aligned with state standards and that professional development training is available to teachers of courses for which an end-of-course assessment is required.

(9) In administering the assessments under this section, the public school district shall provide state-approved accommodations for students with state-recognized disabilities and for English language learners as allowed by law and state board rules.

SECTION 35. Arkansas Code § 6-15-2101(a)(2), concerning school rating system annual reports, is amended to read as follows:

(2) The department shall prescribe the design and content of these reports that shall include without limitation descriptions of achievement of all schools participating in any assessment program and all of their major student populations as determined by the department, provided that the provisions of § 6-15-415 § 6-15-2909 pertaining to student records apply to this section.

SECTION 36. Arkansas Code § 6-15-2101(b), concerning school rating system annual reports, is amended to read as follows:

(b)(1) The department shall provide information regarding performance of students and educational programs as required under §§ 6-15-433 §§ 6-15-2907 and 6-15-2301 and implement a system of school reports as required by statute and State Board of Education rule.

(2) Annual school performance reports shall be in an easy-to-read format and shall include both the school improvement and performance level designations.

SECTION 37. Arkansas Code § 6-15-2101(c), concerning school rating
system annual reports, is repealed.

(c) The annual report shall designate one (1) school performance category level for each school based on:

(1) Student academic performance on state-mandated assessments as required by law or by rule of the state board;

(2) Student growth based on state-mandated assessments as required by law or by rule of the state board; and

(3) For a secondary school, the school’s graduation rate.

SECTION 38. Arkansas Code § 6-15-2101(d)(1) and (2), concerning school rating system annual reports, are amended to read as follows:

(1) Student performance on state-mandated statewide student assessments as required by law or rule of the state board;

(2) Student academic growth based on state-mandated statewide student assessments as required by law or rule of the state board;

SECTION 39. Arkansas Code § 6-15-2106(b)(1), concerning school rating system rules, is amended to read as follows:

(1) The Common Core State Standards Arkansas academic standards;

SECTION 40. Arkansas Code § 6-15-2106(b)(3), concerning school rating system rules, is amended to read as follows:


SECTION 41. Arkansas Code § 6-21-2106(c) and (d), concerning school rating system rules, are repealed.

(c) The state board may adopt by rule, criteria that permit the following entities to be exempt from the identification and classification of academic distress:

(1) A public school that is designated solely as an alternative
learning environment;

(2) An open enrollment public charter school whose mission and enrollment are primarily focused on students who have dropped out of high school or are identified as at risk of dropping out of school;

(3) A conversion public charter school whose mission and enrollment are primarily focused on students who have dropped out of high school or are identified as at risk of dropping out of school;

(4) The Arkansas School for the Blind; and

(5) The Arkansas School for the Deaf.

(d) The criteria adopted by the state board under subsection (c) of this section shall include the method to measure student academic performance for a student who attends an entity identified under subsection (c) of this section to meet the requirements of state or federal law or regulation.

SECTION 42. Arkansas Code § 6-15-2201 is repealed.

6-15-2201. Implementation of state system of school improvement and education accountability.

(a) The Department of Education is responsible for implementing and maintaining a system of intensive school improvement and education accountability that shall include policies and programs to implement the following:

(1)(A) A system of data collection and analysis that will improve information about the educational success of individual students and schools.

(B) The information and analyses shall be capable of identifying educational programs or activities in need of improvement, and reports prepared pursuant to this section shall be distributed to the appropriate school district boards of directors prior to distribution to the general public.

(C) No disclosure shall be made that is in violation of applicable federal or state law;

(2) A program of school improvement that will analyze information to identify schools' educational programs or educational activities in need of improvement;

(3) A method of delivering services to assist school districts and schools to improve; and
(4) A method of coordinating the state educational goals and school improvement plans with any other state program that creates incentives for school improvement.

(b)(1) The department shall be responsible for the implementation and maintenance of the system of school improvement and education accountability outlined in this section.

(2) There shall be an annual determination of whether each school is progressing toward implementing and maintaining a system of school improvement.

(c)(1) If progress is not being made, the local school district shall prepare and implement a revised school improvement plan.

(2) The department shall monitor the development and implementation of the revised school improvement plan.

(d)(1)(A) The department shall implement a training program to develop among state and school district educators a cadre of facilitators of school improvement.

(B) These facilitators shall assist schools and school districts to conduct needs assessments and develop and implement school improvement plans to meet state goals.

(2)(A)(i) Upon request, the department shall provide technical assistance and training to any school, school district, or school district board of directors for conducting needs assessments, developing and implementing school improvement plans, developing and implementing assistance and intervention plans, or implementing other components of school improvement and accountability.

(ii) Priority for these services shall be given to schools designated as school districts in academic distress or schools in need of school improvement under state or federal law.

(B)(i) No less than semiannually, the department shall provide a report to the House Committee on Education and the Senate Committee on Education setting forth the school districts requesting assistance, the state of each request, and the dates and actions taken.

(ii) The department shall further report the results of the actions taken or assistance provided.

(e) As a part of the system of educational accountability, the department shall
(1) Develop minimum-performance standards for various grades and subject areas, as required in §§ 6-15-404 and 6-15-433;

(2) Administer the statewide assessment testing program created by § 6-15-433;

(3) Conduct or contract with a provider to conduct the program assessments required by § 6-15-403;

(4) Conduct or contract with any provider for implementation for any part or portion of this act; and

(5) Perform any other functions that may be involved in educational planning, research, and evaluation or that may be required by the State Board of Education rules and regulations or federal or state law.

SECTION 43. Arkansas Code § 6-15-2202(a)(1), concerning access to school improvement plans, is amended to read as follows:

(1) Improve student achievement and close achievement gaps among student subgroups by providing public access to comprehensive school school-level improvement plans;

SECTION 44. Arkansas Code § 6-15-2202(b)(1), concerning access to school improvement plans, is repealed.

(A) The comprehensive school improvement plan developed under the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., for each public school in the public school district.

(B) [Repealed.]

SECTION 45. Arkansas Code § 6-15-2202(b)(3)-(5), concerning access to school improvement plans, is amended to read as follows:

(3) A parent-friendly explanation of:

(A) The school improvement status of level of support being provided to the public school district;

(B) The school improvement status of each public school in the public school district, including the identification of any supplemental educational services available to each public school; and

(C) Why the public school district or any of its public schools are under academic distress, school improvement is receiving Level 5
— Intensive support, a school is identified as targeted or comprehensive, or
the public school district is in fiscal distress and what the public school
district is doing to be removed from academic distress, school improvement
Level 5 - Intensive support, to remove the school or schools within the
public school district from being identified as targeted or comprehensive, or
to be removed from fiscal distress;

(4) The public school district’s parental involvement plan and
the parental involvement plan of all public schools in the public school
district and informational packets required under § 6-15-1702 and under the
No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq.; and

(5) Teacher qualifications for all public schools in the public
school district under the No Child Left Behind Act of 2001, 20 U.S.C. § 6301
et seq.

SECTION 46. Arkansas Code § 6-15-2202(c)(2), concerning access to
school improvement plans, is amended to read as follows:

(2) Assists a school with its comprehensive-school school-level
improvement plan or school district support plan.

SECTION 47. Arkansas Code § 6-17-705(c), concerning professional
development credit, is repealed.

(e) Licensed personnel may earn up to twelve (12) hours of
professional development credit required under subsection (a) of this section
through online professional development credit approved by the Department of
Education and related to the:

(1) School district’s comprehensive school improvement plan; or

(2) Teacher’s professional growth plan under the Teacher
Excellence and Support System, § 6-17-2801 et seq.

SECTION 48. Arkansas Code § 6-17-707(c)(1)-(3), concerning the
Arkansas Online Professional Development Initiative, are amended to read as
follows:

(1) Are aligned to the required focus areas identified in the
State Board of Education rules governing professional development and the
Arkansas Comprehensive Testing, Assessment, and Accountability Program
Arkansas Educational Support and Accountability Act, § 6-15-2901 et seq.
(2) Are aligned with the clear, specific, and challenging academic content areas as established by the Department of Education as required under § 6-15-404 § 6-15-2906;

(3) Are aligned with the state curriculum frameworks Arkansas academic standards established by the department for each class level or subject area included in the respective professional development programs;

SECTION 49. Arkansas Code § 6-17-707(h) and (1), concerning the Arkansas Online Professional Development Initiative, are amended to read as follows:

(h)(1) As part of a school-improvement plan school district support plan, the department may include guidelines for the professional development programs to be delivered to the licensed personnel employed by a school in school-improvement status or a school district in school-improvement status or academic distress receiving Level 3 - Coordinated, Level 4 - Directed, or Level 5 - Intensive support.

(2)(A) As part of the school-improvement school district support plan, the department may require the participation and completion of professional development courses or programs by licensed personnel in the a school or school district as appropriate for the licensed personnel's job assignments and duties.

(B) Licensed personnel employed by any school in school improvement or school district in school-improvement or academic distress shall participate in, complete, and pass the assessment for the professional development requirements included in the school's or school district's school improvement plan.

(4) The department shall further enhance its leadership role in professional development for licensed personnel by:

(1) Developing technology-based professional development programs and other enhanced professional development options for school districts and licensed personnel, and

(2) Employing two (2) persons who have a high level of expertise in professional development for the purpose of enhancing professional development opportunities as set forth in this section.

SECTION 50. Arkansas Code § 6-18-901(b), concerning maintenance of
permanent student records, is amended to read as follows:

(b) The permanent student record shall include all information
concerning educational programming provided a student who fails to achieve
mastery-level performance on all administrations of the basic competency
tests including statewide student assessments required under the Arkansas
Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401
etseq Arkansas Educational Support and Accountability Act, § 6-15-2901 et
seq.

SECTION 51. Arkansas Code § 6-20-2305(b)(4)(C)(iv) (a), concerning
public school funding, is amended to read as follows:

(iv) (a) Upon review of the school district's
comprehensive school school-level improvement plan, if the Commissioner of
Education determines that the school district has met the needs of students
in the school district for whom the funding for additional educational
categories this subsection is provided, has met the requirements of
subdivisions (b)(4)(C)(ii) and (iii) of this section, and has prudently
managed its resources, the commissioner shall give written approval of the
detailed planned flexible use of excess national school lunch student
categorical funds provided to the school district.

SECTION 52. Arkansas Code § 6-20-2305(b)(4)(C)(ix)(b)(5) -(7),
concerning public school funding, is amended to read as follows:

(5) The school district shall include
with its comprehensive school school-level improvement plan a written
detailed narrative or plan concerning how the school district will use its
excess national school lunch categorical funds each school year and
explaining in detail the amount of funds and percent of total funds to be
used to supplement all classroom teacher salaries as allowed in this
subdivision (b)(4)(C)(ix);

(6) Upon review of the school district's
comprehensive school school-level improvement plan, if the commissioner
determines that the school district has met or is meeting the needs of
students in the school district for which the funding for additional
educational categories under this subdivision (b)(4)(C)(ix) and has prudently
managed its resources, the commissioner shall give written approval of the
detailed planned flexible use of excess national school lunch student
categorical funds provided to the school district; and

(7) Upon review of the school district's
comprehensive-school school-level improvement plan and other indicators, if
the commissioner determines that a school district has not met the needs of
students that may be served with national school lunch student categorical
funds, the commissioner may require that any and all national school lunch
categorical funds dedicated for use or application in the teacher salary fund
shall be removed from and not used to meet the classroom teacher salary
obligation and redirected and applied to meet the needs of students in a
school district.

SECTION 53. Arkansas Code § 6-20-2305(b)(4)(E)(ii)(c), concerning
public school funding, is amended to read as follows:

(c) The analysis of student achievement data
evaluated in student achievement growth models as defined under § 6-15-435 §
6-15-2908 shall be expanded to include the evaluation of the best estimates
of classroom, school, and school district effects on narrowing the
achievement gap, in addition to the examination of student progress based on
established value-added longitudinal calculations.

SECTION 54. Arkansas Code § 6-23-107(b)(2)(A), concerning reporting
requirements for public charter schools, is amended to read as follows:

(2)(A) For all students enrolled in the public charter school,
the scores for assessments required under the Arkansas Comprehensive Testing,
Assessment, and Accountability Program Act, § 6-15-401 et seq., including
without limitation benchmark assessments and end-of-course assessments
Arkansas Educational Support and Accountability Act, § 6-15-2901 et seq.

SECTION 55. Arkansas Code § 10-3-2102(f)(2)-(5), concerning duties of
the adequacy committee, are amended to read as follows:

(2) Reviewing the curriculum frameworks Arkansas academic
standards developed by the Department of Education;

(3) Reviewing the Arkansas Comprehensive Testing, Assessment,
and Accountability Program Act, § 6-15-401 et seq Arkansas Educational
Support and Accountability Act, § 6-15-2901 et seq.;

(4) Reviewing fiscal, academic, and facilities distress programs;


/s/J. English

APPROVED: 04/05/2017
State of Arkansas

91st General Assembly
Regular Session, 2017

By: Joint Budget Committee

For An Act To Be Entitled
AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2018; AND FOR OTHER PURPOSES.

Subtitle
AN ACT FOR THE DEPARTMENT OF EDUCATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS APPROPRIATION FOR THE 2017-2018 FISCAL YEAR.

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

SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for grants and aid to local school districts and special programs of the Department of Education for the fiscal year ending June 30, 2018, the following:

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01-23-2017 10:44:25 KMW028
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<td>23</td>
<td>(27) ENHANCED TRANSPORTATION FUNDING</td>
<td>3,000,000</td>
</tr>
<tr>
<td>24</td>
<td>(28) GENERAL FACILITIES FUNDING</td>
<td>8,100,000</td>
</tr>
<tr>
<td>25</td>
<td>(29) GIFTED &amp; TALENTED</td>
<td>1,485,381</td>
</tr>
<tr>
<td>26</td>
<td>(30) GRANTS TO SCHOOL DISTRICTS</td>
<td>67,856</td>
</tr>
<tr>
<td>27</td>
<td>(31) HUMAN DEVELOPMENT CENTER EDUCATION</td>
<td>526,150</td>
</tr>
<tr>
<td>28</td>
<td>(32) INTERVENTION BLOCK GRANTS</td>
<td>302,000</td>
</tr>
<tr>
<td>29</td>
<td>(33) ISOLATED FUNDING</td>
<td>7,896,000</td>
</tr>
<tr>
<td>30</td>
<td>(34) LEADERSHIP ACADEMY-MASTER PRINCIPAL</td>
<td>500,000</td>
</tr>
<tr>
<td>31</td>
<td>(35) MASTER PRINCIPAL BONUS</td>
<td>208,000</td>
</tr>
<tr>
<td>32</td>
<td>(36) NATIONAL BOARD OF PROF TEACHING</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>STANDARDS</td>
<td>15,322,100</td>
</tr>
<tr>
<td>34</td>
<td>(37) NATIONAL SCHOOL LUNCH</td>
<td>223,783,349</td>
</tr>
</tbody>
</table>
1  (38)  NON-TRADITIONAL LICENURE  50,000
2  (39)  NSL MATCHING GRANT PROGRAM  4,300,000
3  (40)  OE CHARTER FAC FUNDING AID PRG  5,000,000
4  (41)  PROFESSIONAL DEVELOPMENT FUNDING  20,617,836
5  (42)  PUBLIC SCHOOL EMPLOYEE INSURANCE  57,373,600
6  (43)  R.I.S.E. ARKANSAS  1,100,000
7  (44)  RESIDENTIAL CENTERS/JUVENILE DETENTION  16,345,087
8  (45)  SCHOOL FACILITY JOINT USE SUPPORT  500,000
9  (46)  SCHOOL FOOD SERVICES  1,650,000
10  (47)  SCHOOL FOOD-LEGISLATIVE AUDIT  75,000
11  (48)  SCHOOL FUNDING CONTINGENCY  25,000,000
12  (49)  SCHOOL RECOGNITION  7,000,000
13  (50)  SCHOOL WORKER DEFENSE  390,000
14  (51)  SERIOUS OFFENDER  1,716,859
15  (52)  SMART START/SMART STEP  10,666,303
16  (53)  SPECIAL EDUCATION SERVICES  2,802,527
17  (54)  SPECIAL EDUCATION-CATASTROPHIC  13,000,000
18  (55)  SPECIAL NEEDS ISOLATED FUNDING  3,000,000
19  (56)  STATE FOUNDATION FUNDING  2,085,908,817
20  (57)  STUDENT GROWTH  37,690,144
21  (58)  SUPPLEMENTAL MILLAGE  10,000,000
22  (59)  SURPLUS COMMODITIES  1,125,065
23  (60)  TEACHER LICENSING/MENTORING  6,065,758
24  (61)  TEACHER OF THE YEAR  100,000
25  (62)  TEACHER RECRUITMENT  2,100,000
26  (63)  TEACHER RETIREMENT MATCHING  10,124,858
27  (64)  TECHNOLOGY GRANTS  3,602,678
28  (65)  TECHNOLOGY IMPROVEMENTS  500,000
29  (66)  WORKER’S COMPENSATION  450,000
30  (67)  YOUTH SHELTERS  165,000
31  TOTAL AMOUNT APPROPRIATED  $2,982,663,004

SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.
There is hereby established for the Department of Education - Arkansas Public School Computer Network for the 2017-2018 fiscal year, the following maximum
number of regular employees.

<table>
<thead>
<tr>
<th>Item</th>
<th>Class</th>
<th>Title</th>
<th>Maximum Salary Rate</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>047</td>
<td>N047N</td>
<td>ADE APSCN DIRECTOR</td>
<td>1</td>
<td>GRADE N908</td>
</tr>
<tr>
<td>02C</td>
<td>C012C</td>
<td>ADE ASSISTANT TO COMMISSIONER</td>
<td>3</td>
<td>GRADE C129</td>
</tr>
<tr>
<td>007C</td>
<td>D007C</td>
<td>INFORMATION SYSTEMS MANAGER</td>
<td>1</td>
<td>GRADE C128</td>
</tr>
<tr>
<td>06C</td>
<td>D006C</td>
<td>SOFTWARE ENGINEER LEAD</td>
<td>1</td>
<td>GRADE C128</td>
</tr>
<tr>
<td>012C</td>
<td>D012C</td>
<td>DATABASE SPECIALIST</td>
<td>1</td>
<td>GRADE C127</td>
</tr>
<tr>
<td>050C</td>
<td>G050C</td>
<td>ADE APSCN DIVISION MANAGER</td>
<td>3</td>
<td>GRADE C126</td>
</tr>
<tr>
<td>105C</td>
<td>D105C</td>
<td>ADE STATE NETWORK ENGINEER</td>
<td>1</td>
<td>GRADE C126</td>
</tr>
<tr>
<td>04C</td>
<td>D104C</td>
<td>ADE STATE SYSTEMS ADMINISTRATOR</td>
<td>1</td>
<td>GRADE C126</td>
</tr>
<tr>
<td>037C</td>
<td>D037C</td>
<td>ADE APSCN APPLICATIONS MANAGER</td>
<td>3</td>
<td>GRADE C124</td>
</tr>
<tr>
<td>042C</td>
<td>D042C</td>
<td>DATA WAREHOUSE SPECIALIST</td>
<td>1</td>
<td>GRADE C123</td>
</tr>
<tr>
<td>038C</td>
<td>D038C</td>
<td>SENIOR SOFTWARE SUPPORT ANALYST</td>
<td>1</td>
<td>GRADE C123</td>
</tr>
<tr>
<td>055C</td>
<td>D055C</td>
<td>ADE APSCN FIELD ANALYST</td>
<td>25</td>
<td>GRADE C121</td>
</tr>
<tr>
<td>063C</td>
<td>D063C</td>
<td>COMPUTER SUPPORT SPECIALIST</td>
<td>1</td>
<td>GRADE C119</td>
</tr>
<tr>
<td>089C</td>
<td>A089C</td>
<td>ACCOUNTANT I</td>
<td>1</td>
<td>GRADE C116</td>
</tr>
<tr>
<td>020C</td>
<td>C020C</td>
<td>STUDENT APPLICATIONS SPECIALIST</td>
<td>4</td>
<td>GRADE C116</td>
</tr>
<tr>
<td>079C</td>
<td>D079C</td>
<td>COMPUTER SUPPORT TECHNICIAN</td>
<td>1</td>
<td>GRADE C115</td>
</tr>
<tr>
<td>077C</td>
<td>D077C</td>
<td>HELP DESK SPECIALIST</td>
<td>2</td>
<td>GRADE C115</td>
</tr>
<tr>
<td>056C</td>
<td>C056C</td>
<td>ADMINISTRATIVE SPECIALIST III</td>
<td>1</td>
<td>GRADE C112</td>
</tr>
</tbody>
</table>

MAX. NO. OF EMPLOYEES 52

SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.
There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for personal services and operating expenses of the Department of Education - Arkansas Public School Computer Network for the fiscal year ending June 30, 2018, the following:

ITEM NO. FISCAL YEAR 2017-2018
(01) REGULAR SALARIES $2,446,075

01-23-2017 10:44:25 KMWO28
(02) PERSONAL SERVICES MATCHING 794,444
(03) MAINT. & GEN. OPERATION
   (A) OPER. EXPENSE 19,245,839
   (B) CONF. & TRAVEL 7,250
   (C) PROF. FEES 0
   (D) CAP. OUTLAY 0
   (E) DATA PROC. 0
(04) DATA ACCESS IMPLEMENTATION 300,000
TOTAL AMOUNT APPROPRIATED 22,793,608

SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
is hereby established for the Department of Education - Office of Education
Renewal Zones for the 2017-2018 fiscal year, the following maximum number of
regular employees.

<table>
<thead>
<tr>
<th>Item</th>
<th>Class</th>
<th>Title</th>
<th>No.</th>
<th>Code</th>
<th>Title</th>
<th>No. of Employees</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>E020C</td>
<td>ADE OERZ TECHNICAL ASSIST SPECIALIST</td>
<td>3</td>
<td></td>
<td></td>
<td>3</td>
<td>GRADE C122</td>
</tr>
<tr>
<td>(2)</td>
<td>C056C</td>
<td>ADMINISTRATIVE SPECIALIST III</td>
<td>1</td>
<td></td>
<td></td>
<td>1</td>
<td>GRADE C112</td>
</tr>
</tbody>
</table>

SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
hereby appropriated, to the Department of Education, to be payable from the
Department of Education Public School Fund Account, for personal services,
operating expenses and grants by the Department of Education - Office of
Education Renewal Zones for the fiscal year ending June 30, 2018, the
following:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>NO.</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>(01)</td>
<td></td>
<td>$154,077</td>
</tr>
<tr>
<td>(02)</td>
<td></td>
<td>54,010</td>
</tr>
<tr>
<td>(03)</td>
<td></td>
<td>91,800</td>
</tr>
</tbody>
</table>
(B) CONF. & TRAVEL 13,000
(C) PROF. FEES 0
(D) CAP. OUTLAY 0
(E) DATA PROC. 0
(04) EDUCATIONAL RENEWAL ZONE GRANTS 1,024,350
TOTAL AMOUNT APPROPRIATED $1,337,237

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.

ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for R.I.S.E. Arkansas remaining on June 30, 2017 2018, in the Department of Education Public School Fund Account shall be designated and retained for the R.I.S.E. Arkansas.

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

(1) Prior to June 30, 2017 2018 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 item (1) above;

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

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

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017 2018.

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

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017 2018.

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

The provisions of this section shall be in effect only from July 1, 2016

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

The provisions of this section shall be in effect only from July 1, 2016

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
fiscal year thereafter, the Department of Education shall from time to time
as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
State, the amount of funds disbursed or approved to be disbursed by the
Department of Education for desegregation expenses under any "Desegregation
Settlement Agreement". Upon the receipt of such certification, the State
Treasurer, after making those deductions as set out in Arkansas Code 19-5-
202(b)(2)(B), shall also deduct from the net general revenues the amount
certified and transfer this amount to the Department of Education Public
School Fund Account there to be used exclusively for payment of or
reimbursement for expenses incurred from the Department of Education Public
School Fund Account under any "Desegregation Settlement Agreement".
The provisions of this section shall be in effect only from July 1, 2016

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
Incentive shall be allocated in accordance with rules and regulations
established by the State Board of Education.
The provisions of this section shall be in effect only from July 1, 2016

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
Residential Centers/Juvenile Detention shall be allocated in accordance with
rules and regulations established by the State Board of Education.
The provisions of this section shall be in effect only from July 1, 2016

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

Determining the maximum number of employees and the maximum amount of
appropriation and general revenue funding for a state agency each fiscal year
is the prerogative of the General Assembly. This is usually accomplished by
delineating such maximums in the appropriation act(s) for a state agency and
the general revenue allocations authorized for each fund and fund account by
amendment to the Revenue Stabilization law. Further, the General Assembly
has determined that the Department of Education may operate more efficiently
if some flexibility is provided to the Commissioner of the Department of
Education authorizing broad powers under the Transfer Authority provision
herein. Therefore, it is both necessary and appropriate that the General
Assembly maintain oversight by requiring prior approval of the Legislative
Council or Joint Budget Committee as provided by this section. The
requirement of approval by the Legislative Council or Joint Budget Committee
is not a severable part of this section. If the requirement of approval by
the Legislative Council or Joint Budget Committee is ruled unconstitutional
by a court jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, 2016

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

The provisions of this section shall be in effect only from July 1, 2016

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
"Distressed School District Support" in the Grants and Aid to Local School
Districts and Special Programs section of this Act may be used for technical
assistance offered by the Department of Education to school districts in
academic distress that can include, but is not limited to, teacher
specialists, principal specialists, and other personnel assigned by the
department. These funds may also be used for alternative research-based
technical assistance or programs. Criteria for selecting and approving
alternative research-based technical assistance or programs are to be
promulgated as a rule by the State Board of Education, provided that
alternative staffing and/or compensation programs for teachers shall be
approved by at least a majority of the teachers in the school, schools, or
school district participating in the program.

The provisions of this section shall be in effect only from July 1, 2016

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
Districts shall pay the teacher retirement employer contribution rate for any
eligible employee in accordance with rules and regulations established by the
Teacher Retirement Board of Directors. The appropriation contained herein for
Teacher Retirement Matching each fiscal year shall be used to provide the
employer matching for employees of the Cooperative Education Services Areas,
Vocational Centers, Arkansas Easter Seals and the school operated by the
Department of Correction.

The provisions of this section shall be in effect only from July 1, 2016

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
authorized to expend a maximum of two percent (2%) of available funds for
administration of the Better Chance Program. Up to 1.8% of available funds
shall be used to administer the program and to monitor program grantees to
ensure compliance with programmatic standards. Prior to the utilization of
the remaining 0.2% of available funds, the Department of Education shall seek
prior review and approval of the Arkansas Legislative Council or Joint Budget
Committee by providing a written request to include the following: a) the
Department’s reason(s) for the use of the funds and b) the amount of funds
that will be expended. The Department may contract with the Division of Child
Care and Early Childhood Education to administer the program.

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

The provisions of this section shall be in effect only from July 1, 2016

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
TEACHER SALARY. The Arkansas Department of Education is requested to
calculate Average Teacher Salary in the Department’s Annual Statistical
Report to not include extra duty funds. Specifically, the Department is
requested to calculate the Average Teacher Salary amount using the National
Education Association definitions for Average Salary for Classroom Teachers.
The Arkansas Department of Education shall submit this data annually to the
National Education Association in accordance with that organization’s
deadlines for submission for their report "Rankings and Estimates" which
includes state-by-state teacher salary comparisons.

The provisions of this section shall be in effect only from July 1, 2016

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated
for the Arkansas Better Chance for School Success Program remaining on June
30, 2017 2018, in the Department of Education Public School Fund Account
shall be designated and retained for the Arkansas Better Chance for School
Success Program.

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

(1) Prior to June 30, 2017 2018 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 containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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

The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, 2017 2018.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the Department of Finance and Administration may use up to eleven dollars and twenty cents ($11.20) from each contribution made under Arkansas Code §6-17-1117(a) to offset the cost of health insurance premiums to eligible members electing to participate in the public school employees' health insurance program as a retiree.

The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, 2017 2018.
SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
shall transfer on his books and those of the State Treasurer and the State
Auditor, the sum of two hundred thousand dollars ($200,000) during each
fiscal year from the Department of Education Public School Fund Account to
the University of Arkansas at Little Rock Fund, specifically to provide
funding for the Arkansas/STRIVE Program. The total amount of funds
transferred each fiscal year pursuant to this section shall not be subject to
any indirect costs by the University of Arkansas at Little Rock.
The provisions of this section shall be in effect only from July 1, 2016

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
INSURANCE. The appropriation contained herein for Public School Employee
Insurance each fiscal year shall be used to provide the state contribution
for insurance premiums for employees of the Cooperative Education Services
Areas, Vocational Centers, and the school operated by the Department of
Correction who participate in the Arkansas Public School Life and Health
Insurance Program.
The provisions of this section shall be in effect only from July 1, 2016

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
funding for Alternative Learning Environment Programs in excess of the
regulatory limitation of six (6) hours per day for those programs that
operate more than twelve hours per day, in a proportionate manner and upon
special request to the Department of Education.
The provisions of this section shall be in effect only from July 1, 2016

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
FUND RESTRICTIONS. No state funds shall be used for abortion referral in public schools, or for abortion services. Funds shall be expended in accordance with Arkansas Code Annotated §6-18-703.

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017 2018.

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

ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.

Effective for the plan year beginning January 1, 2016 2017, if ninety-eight percent (98%) of the uniform rate of tax used in the calculation of State Foundation Funding Aid for fiscal year 2016-2017 2017-2018 exceeds nine hundred twenty million seven hundred thirty-one thousand eight hundred nineteen dollars ($920,731,819), the Department of Education shall pay up to fifteen million dollars ($15,000,000) of the total increase over the nine hundred twenty million seven hundred thirty-one thousand eight hundred nineteen dollars ($920,731,819) to the Employee Benefits Division of the Department of Finance and Administration in additional health insurance contributions for eligible employees electing to participate in the public school employees’ health insurance program administered by the State and Public School Life and Health Insurance Board.

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

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017 2018.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget and commit for expenditure two hundred fifty thousand dollars ($250,000), in addition to funds already being provided for the Arkansas Governor’s School, to fund the appropriation authorized from general revenue for the Gifted and Talented program as appropriated in the Grants and Aid to Local School
Districts and Special Programs section herein. With this additional funding the duration of the Arkansas Governor's School shall be extended from four (4) weeks to six (6) weeks.

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017 2018.

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

The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, 2017 2018.

SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education shall make available from the Intervention Block Grants appropriation authorized by this Act, one hundred thousand dollars ($100,000) each fiscal year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred dollars ($13,500) each fiscal year for Creativity in Arkansas, Inc. for grants up to $1,000 each for students and chaperones, thirteen thousand five hundred dollars ($13,500) each fiscal year for Destination Imagination, one hundred thousand dollars ($100,000) each fiscal year for the State History Day Competition, and seventy-five thousand dollars ($75,000) each fiscal year for a grant to the Arkansas Science Fair Association for grants to regional
and the state science fairs. The Department of Education shall allocate
General Revenue funding totaling no less than three hundred two thousand
dollars ($302,000) each fiscal year from the Department of Education Public
School Fund Account to support the annual expenses of the Quiz Bowl, the
Creativity in Arkansas, Inc. for grants up to $1,000 each for students and
chaperones, Destination Imagination, the State History Day Competition, and
the Arkansas Science Fair Association for grants to regional and state
science fairs. The Department shall either expend or have committed for
expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,
Inc., Destination Imagination, the State History Day Competition, and
Arkansas Science Fair Association grants as authorized herein in order to
fulfill the provisions of this section.

The provisions of this section shall be in effect only from July 1, 2016

SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
SCHOOL DISTRICT ISOLATED - BASE FUNDING UNDER CERTAIN CIRCUMSTANCES.

(a) The amount of funding a school district receives under either § 6-
20-604(c) and (h) or § 6-20-604(d) and (h) in the fiscal year 2014-2015 shall
become the base year funding for fiscal year 2015-2016 if a school district
meets the following requirements in the 2014-2015 fiscal year and all of the
following requirements except for population density ratio in the 2015-2016
fiscal year:

(1) Either:

(A) Sections 6-20-604(b) and (c); or
(B) Sections 6-20-604(b) and (d); and

(2) Section 6-20-601.

(b) If after the 2015-2016 fiscal year, an increase in a school
district's population density ratio precludes funding under § 6-20-604(c) and
(h) or § 6-20-604(d) and (h), the amount of funding a school district shall
receive is the amount specified under subsection (a) of this section less ten
percent (10%) cumulative each year until the funding amount a school district
receives is the amount of funding the school district is eligible to receive
under:

(1) Sections 6-20-604(e) and (h); or
(2) Section 6-20-604(f).

The provisions of this section shall be in effect only from July 1, 2017 through June 30, 2018.

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

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

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

(1) Annual expenditure information;

(2) Statistical information pertaining to users of the initiative;

(3) Course offerings;

(4) Course hours completed; and

(5) Certificates awarded.

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

(1) Governor;

(2) Legislative Council or, if the General Assembly is in session, the Joint Budget Committee;

(3) Senate Committee on Education;

(4) House Committee on Education; and

(5) Department of Finance and Administration.

(c) The provisions of this section shall be in effect only from July 1, 2017 through June 30, 2018.

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NSL MATCHING GRANT PROGRAM. (a)(1) Of the appropriation and funding for the NSL
MATCHING GRANT PROGRAM Item in the Grants and Aid to Local School Districts
and Special Programs section of this Act, four million three hundred thousand
dollars ($4,300,000) shall be set aside by the Department of Education and
shall be used for school district expenditures for evidence-based programs to
improve academic achievement of identified national school lunch students.

(2) These programs shall be limited to:

(A) Tutors as set out in § 6-20-2305(b)(4)(C)(1)(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)(1)(b)(2); and

(C) Prekindergarten programs under § 6-20-2305(b)(4)(C)(1)(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
provide 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 section.

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

The provisions of this section shall be in effect only from July 1,
2017 through June 30, 2018.

SECTION 32. 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,
2017 through June 30, 2018.

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

SECTION 34. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 35. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2017 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2017 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2017.

/s/Joint Budget Committee

APPROVED: 04/06/2017

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