

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

INTERIM STUDY PROPOSAL 2009-080

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

SENATE BILL 430

By: Senator Crumbly

Filed with: Senate Interim Committee on Education
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO PROVIDE INCENTIVES FOR TEACHER
RECRUITMENT AND RETENTION IN HIGH-PRIORITY SCHOOL
DISTRICTS; TO EQUALIZE TEACHER SALARIES BETWEEN
HIGH-PRIORITY SCHOOL DISTRICTS AND HIGHER PAYING
SURROUNDING SCHOOL DISTRICTS IN ARKANSAS; AND FOR
OTHER PURPOSES.

Subtitle

TO PROVIDE INCENTIVES FOR TEACHER
RECRUITMENT AND RETENTION AND EQUALIZE
TEACHER SALARIES IN HIGH-PRIORITY SCHOOL
DISTRICTS.

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

SECTION 1. Arkansas Code § 6-17-811 is amended to read as follows:
6-17-811. Incentives for teacher recruitment and retention in high-
priority districts.

(a)~~(1)~~ As used in this section:

~~(A)~~(1) “Area public school district” means a public school
district that is:

~~(i)~~(A) Within the county of a high-priority district; or

~~(ii)~~(B) Within a thirty-mile radius of a high school of a
high-priority district;



1 (2)(A) “High-priority district” means a public school district:

2 (i) In which eighty percent (80%) or more of public
3 school students are eligible for the free or reduced-price lunch program
4 under the National School Lunch Act based on the October 1 student count of
5 the previous year submitted to the Department of Education; and

6 (ii) That had a three-quarter average daily
7 membership in the previous year of one thousand (1,000) or fewer students,
8 unless the public school district is a:

9 (a) County-wide public school district; or

10 (b) Resulting school district in a
11 consolidation or a receiving district in an annexation in which both public
12 school districts in the consolidation or annexation were previously high-
13 priority districts.

14 (B) By April 1 of each year, the State Board of Education
15 shall determine the districts that qualify as high-priority districts of the
16 state;

17 ~~(B)(i)~~(3)(A) “New teacher bonus” means an incentive bonus
18 provided under subdivisions (b)(1)-(3) of this section to a teacher ~~that~~ who
19 is within the first three (3) years of employment with a single high-priority
20 district.

21 ~~(ii)~~(B) A teacher is not entitled to receive a new teacher
22 bonus from any high-priority district other than the high-priority district
23 that first employed the teacher and paid the teacher a new teacher bonus;

24 ~~(C)~~(4) “Previous year” means the school year immediately
25 preceding the present school year;

26 ~~(D)~~(5) “Retention bonus” means an incentive bonus provided under
27 subdivision (b)(4) or subdivision (b)(5) of this section; and

28 ~~(E)(i)~~ (6)(A) “Teacher” means a ~~certified~~ licensed classroom
29 teacher who spends seventy percent (70%) of his or her time working directly
30 with students in a classroom setting teaching all grade-level or subject-
31 matter appropriate classes.

32 ~~(ii)~~(B) “Teacher” includes a guidance ~~counselors and~~
33 ~~librarians~~ counselor or librarian.

34 ~~(2) The State Board of Education shall promulgate rules to~~
35 ~~determine high priority districts of the state.~~

36 ~~(b) Beginning in the 2007-2008 school year and each school year~~

1 ~~thereafter, At the end of the school year and upon completion of a licensed~~
2 ~~teacher's contracted teaching obligations,~~ a teacher licensed by the state
3 ~~board who enters into a teaching contract and~~ who completes the entire
4 current school year teaching in a high-priority district ~~shall at the end of~~
5 ~~the school year and upon completion of his or her contracted teaching~~
6 ~~obligations be~~ is entitled to receive in addition to all other contracted
7 salary and benefits:

8 (1) For a newly hired teacher who has not previously taught in a
9 high-priority district, a one (1) time signing bonus of four thousand dollars
10 (\$4,000) for the first year of service in the high-priority district to be
11 paid upon completion of the full year of teaching;

12 (2) For a newly hired teacher who meets the requirements of
13 subdivision (b)(1) of this section, who continues to teach in the same high-
14 priority district, and who completes the second full year of contracted
15 teaching obligations, a new teacher bonus in the amount of three thousand
16 dollars (\$3,000) in addition to all other contracted salary and benefits;

17 (3) For a teacher who meets the requirements of subdivisions
18 (b)(1) and (2) of this section, who continues to teach in the same high-
19 priority district, and who completes a third year of contracted teaching
20 obligations, a new teacher bonus of three thousand dollars (\$3,000) in
21 addition to all other contracted salary and benefits;

22 (4) For a teacher who meets the requirements of subdivisions
23 (b)(1)-(3) of this section, who enters his or her fourth or subsequent year
24 of service with the same high-priority district or begins employment with a
25 high-priority district other than the high-priority district where he or she
26 was employed at the time he or she received a new teacher bonus under
27 subdivisions (b)(1)-(3) of this section, a retention bonus in the amount of
28 two thousand dollars (\$2,000) for the fourth and each subsequent complete
29 year of service in the high-priority district to be paid at the end of the
30 school year after completing all contractual obligations; and

31 (5) For a teacher employed in a high-priority district who does
32 not meet the requirements of subdivisions (b)(1)-(3) of this section, a
33 retention bonus in the amount of two thousand dollars (\$2,000) for each
34 complete year of service in the high-priority district to be paid at the end
35 of the school year after completing all contractual obligations.

36 (c)(1) No teacher shall be entitled to a bonus provided under this

1 section unless the teacher has fulfilled his or her contractual obligations
2 for the current school year.

3 (2) The superintendent of the high-priority district where
4 the teacher is employed shall certify in writing to the department that the
5 teacher has completed all contractual obligations for the school year.

6 ~~(d) Any bonus pay awarded under this section to eligible full-~~
7 ~~time equivalent teachers who do not work the entire school year shall be pro~~
8 ~~rated based on the portion of the school year that the eligible teacher was~~
9 ~~employed by the high priority district.~~

10 (d)(1)(A) As an alternative to the bonuses paid under subsection (c)
11 of this section and in order to provide equity in teacher compensation, a
12 high-priority district may supplement the salary of each teacher employed by
13 the high-priority district with a bonus equal to the difference between the
14 beginning salary of the high-priority district's salary schedule for the
15 2009-2010 school year and an amount that is one thousand dollars (\$1,000)
16 less than the beginning salary as of June 30, 2009, of the highest paying
17 salary schedule of area public school districts.

18 (B) For the 2011-2012 school year, if there are moneys
19 available from the 2010-2011 school year for the purposes of this subsection,
20 the state shall either:

21 (i) Continue to fund the bonus provided under
22 subdivision (d)(1)(A) in the 2009-2010 school year equal to the difference
23 between the beginning salary of the high-priority district's salary schedule
24 for 2009-2010 and an amount that is one thousand dollars (\$1,000) less than
25 the beginning salary as of June 30, 2009, of the highest paying salary
26 schedule of area public school districts; or

27 (ii)(a) Distribute the remaining moneys on a per
28 pupil basis to all eligible high-priority districts if funds are not
29 sufficient to fund an increase in the high-priority district salary schedule
30 for the 2009-2010 school year to within one thousand dollars (\$1,000) of the
31 highest paying salary schedule of area public school districts.

32 (b) Any funds distributed under subdivision
33 (d)(1)(B)(ii)(a) of this section shall be used only for the purpose of
34 providing a bonus to teachers employed by the high-priority district
35 receiving the distribution.

36 (2) A bonus under this subsection shall be based on the salary

1 schedules of the highest-paying public school district in place on June 30 of
2 the previous year.

3 (3) A high-priority district shall elect to pay teacher bonuses
4 under either this subsection or under subsection (c) of this section, but not
5 both.

6 (4) A high-priority district that receives state funds to
7 increase teacher salaries under this subsection may not amend its salary
8 schedule in effect on the effective date of this subsection to:

9 (A) Lower the starting salaries on the salary schedule; or

10 (B) Add years to the salary schedule.

11 (5) In order to receive state funding for increased teacher
12 salaries under this subsection, a high-priority district shall pay at least
13 the minimum teacher salaries required by law.

14 (6) An administrator of a high-priority district that
15 participates in this program and a teacher who receives an incentive under
16 this program shall complete the professional development required by
17 subsection (f) of this section.

18 (e) The General Assembly finds and determines that the teacher
19 retention and recruitment incentives provided for in this section are in
20 addition to, and in excess of, the amount of funds distributed to school
21 districts to enable school districts and the State of Arkansas to provide a
22 general, suitable, and efficient education as required by the Arkansas
23 Constitution.

24 ~~(e)~~(f) The department shall:

25 (1) Monitor the implementation of the incentive program
26 established by this section;

27 (2) Collect data to be used to evaluate the incentive program's
28 effectiveness; ~~and~~

29 (3) Promulgate any necessary rules to administer the
30 requirements of this teacher recruitment and retention program; ~~and~~

31 (4)(A) Provide professional development, including without
32 limitation a summer institute, in:

33 (i) The core academic subject area needed by a
34 teacher receiving an incentive under this section who is not a highly
35 qualified teacher to attain highly qualified status; and

36 (ii) Research-based school leadership and

1 instructional strategies needed by each administrator in a high-priority
2 school district that pays the incentives under this section to increase the
3 administrator's:

4 (a) Leadership skills; and

5 (b) Ability to apply successful instructional
6 strategies; and

7 (c) Ability to use and implement school
8 programs to improve student learning.

9 (B) The department shall provide the professional
10 development under this subdivision (f)(4) at no cost to the teacher or
11 administrator.

12
13 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
14 General Assembly of the State of Arkansas that there are school districts in
15 economically depressed and low property wealth areas of the state that face
16 difficulties competing with surrounding, geographically close school
17 districts with regard to teacher salaries, and that such condition makes it
18 difficult for districts in such economically depressed and low property
19 wealth areas to recruit and retain qualified teachers; that this act will
20 provide assistance to those high-priority districts to assist them in
21 recruiting and retaining such teachers; and that this act is immediately
22 necessary to provide that assistance for the 2009-2010 school year.
23 Therefore, an emergency is declared to exist and this act being immediately
24 necessary for the preservation of the public peace, health, and safety shall
25 become effective on:

26 (1) The date of its approval by the Governor;

27 (2) If the bill is neither approved nor vetoed by the Governor,
28 the expiration of the period of time during which the Governor may veto the
29 bill; or

30 (3) If the bill is vetoed by the Governor and the veto is
31 overridden, the date the last house overrides the veto.

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36 Filed Date: 04/06/2009 By: CLR\VJF