

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 1/29/87

HOUSE BILL 1310

By: Joint Budget Committee

AS ENGROSSED 2/20/87

AS ENGROSSED 4/8/87

"AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AIDS TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS BY THE DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1989; AND FOR OTHER PURPOSES."

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

SECTION 1. APPROPRIATIONS - GENERAL EDUCATION DIVISION. There is hereby appropriated, to the Department of Education, to be payable from the Public School Fund, for grants and aids to local school districts and special programs by the Department of Education - General Education Division for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) COMPUTER BASED EDUCATION - GRANTS	\$ 3,000,000	\$ 1,500,000
(02) PUBLIC SCHOOL EMPLOYEES INSURANCE	18,900,000	20,815,000
(03) TEACHER RETIREMENT MATCHING	72,589,168	80,119,090
(04) COUNTY GENERAL AID	1,539,450	1,591,950
(05) TRANSPORTATION AID	51,900,674	55,064,138
(06) MINIMUM FOUNDATION AID	672,882,028	719,983,770
(07) STATE APPORTIONMENT AID	1,287,900	1,292,000
(08) ORPHAN'S AID	110,000	110,000
(09) CRIPPLED CHILDREN	143,113	143,113
(10) SCHOOL FOOD SERVICE	1,600,000	1,600,000
(11) ECONOMIC EDUCATION	100,000	115,000
(12) SURPLUS COMMODITIES	150,000	150,000
(13) GRANTS TO SCHOOL DISTRICTS	27,000	27,000
(14) WORKER'S COMPENSATION	2,500,000	2,600,000
(15) GIFTED AND TALENTED	2,500,000	3,000,000

(16)	LIABILITY INSURANCE PREMIUMS	275,000	275,000
(17)	TEACHER CAREER DEVELOPMENT	471,000	565,000
(18)	AID TO ISOLATED DISTRICTS	175,000	175,000
(19)	RECOGNITION PROGRAM	100,000	100,000
(20)	READING PROGRAM	808,331	848,748
(21)	CLASSROOM MANAGEMENT TRAINING	155,000	155,000
(22)	SPECIAL EDUCATION SERVICES	3,500,000	4,000,000
(23)	HUMAN DEVELOPMENT CENTERS EDUCATION AID	725,000	780,000
(24)	COOPERATIVE EDUCATION SERVICES AREAS	3,000,000	3,000,000
(25)	ALTERNATIVE SCHOOLS GRANTS	_____0	_____100,000
	TOTAL AMOUNT APPROPRIATED	\$838,438,664	\$898,109,809

SECTION 2. APPROPRIATIONS - VOCATIONAL AND TECHNICAL EDUCATION DIVISION.

There is hereby appropriated, to the Department of Education, to be payable from the Public School Fund, for grants and aids to local school districts and special programs by the Department of Education - Vocational and Technical Education Division for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) ADULT BASIC EDUCATION	\$ 3,119,481	\$ 3,189,481
(02) GENERAL ADULT EDUCATION	4,963,160	5,033,160
(03) VOCATIONAL CENTER AID	3,910,000	4,060,000
(04) CAPITAL EQUIP. GRANT	1,881,000	1,881,000
(05) COORDINATED CAREER EDUCATION SERVICES/SPECIAL NEEDS STUDENTS	_____998,873	_____998,873
TOTAL AMOUNT APPROPRIATED	\$ 14,872,514	\$ 15,162,514

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Department of Education, to be payable from the Public School Fund, for costs associated with implementation of the Little Rock School District vs. Pulaski County Special School District court order by the Department of Education - General Education Division for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) Operational Costs	\$ 5,250,000	\$ 5,250,000
	=====	=====

SECTION 4. For the purposes 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 by Item (13) of Section 1 of this Act to such school district as reimbursement for expenses incurred in educating the pupils residing in the separated portion of the school district. Such school district shall file a request for reimbursement with the Department of Education and provide the Department of Education with such documentation as is deemed necessary.

SECTION 5. FUNDING. Of the first monies distributed to the Public School Fund in each fiscal year of the 1987-89 biennium, an amount equal to those amounts set forth in Item (13) of Section 1 of this Act shall be set aside each fiscal year in order to provide funding for the appropriation in Item (13) of Section 1 of this Act.

SECTION 6. FUNDING PROVISION AND ADMINISTRATION. The appropriation provided by the General Assembly for "Public School Employees Insurance", which is made payable from the Public School Fund, shall be administered by the School Insurance Section of the Department of Education - General Education Division, in accordance with the provisions of Act 834 of 1977, as amended (Ark. Stats. 80-5101 - 80-513) and Chapter 37 of Act 148 of 1959, as amended (Ark. Stats. 66-3701 - 66-3708). In the event that there are insufficient funds or appropriation available to disburse the maximum contribution for insurance premiums provided for each eligible public school employee as may be

set out by law, or if the General Assembly fails to set a contribution level, the State Board of Education may establish a State contribution level for public school employee insurance premiums within the amount of appropriation and funds available. Provided, however, for the fiscal year 1987-88 and thereafter, monthly contributions per employee of the Public School Employees Insurance Section shall not exceed that amount authorized and expended in behalf of members of the State Employees Insurance Section. In addition to those purposes, as set out in said Acts enumerated in this Section, the appropriation for the "Public School Employees Insurance" shall be utilized for the personal services and operating expenses as required by the Department of Education to administer the Public School Employees Insurance Program. The Chief Fiscal Officer of the State is hereby authorized to establish the necessary amounts of appropriation for regular salaries, operating expenses, and any other necessary items, by transferring such required amounts from the appropriation made for "Public School Employees Insurance."

SECTION 7. ELEMENTARY AND HIGH SCHOOL TEXTBOOKS. Local school districts are hereby authorized to transfer up to twenty percent (20%) of their allotments for high school and elementary textbooks, as determined by the State Board of Education, from those funds set aside for textbook allotments by Subsections (e) and (f) of Section 9 of Act 34 of the First Extraordinary Session of 1983. This amount may be transferred from the portion of textbook allotment designated for high school textbooks to the portion of textbook allotment designated for elementary textbooks, or vice versa, after written notification to and confirmation from the Free Textbooks Section of the Department of Education.

SECTION 8. The funds appropriated in the line item "Special Education Services" in Section 1 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.

SECTION 9. The additional state financial aid for public elementary and

secondary education provided to the school districts of this State pursuant to the provisions of this Act shall be expended to improve the quality of education in the public school; therefore, no state financial aid appropriated by this Act and distributed pursuant to the school aid formula shall be expended for the support of extra-curricular activities or athletic programs.

SECTION 10. The funds appropriated in Section 2 of this Act may also be used to match any available federal funds from any agency in order to provide the maximum amount of money possible for the purposes enumerated in such section.

SECTION 11. RESTRICTIONS. (A) The funds appropriated by Item (04) of Section 2 herein, shall be administered by the Department of Education - Vocational and Technical Education Division and shall be used to provide additional assistance to local school districts to enhance and/or upgrade equipment in existing job-specific programs. Pursuant to policies and regulations which include applications, disbursement procedures, and matching requirements of the Vocational and Technical Division, these funds can be used to purchase capital equipment to enhance or technically upgrade existing job-specific vocational programs. Such funds shall be distributed to local school districts in such amounts, as determined by the Department of Education - Vocational and Technical Education Division.

SECTION 12. Prior to expending any funding for new programs to handicapped students which include funding for evaluation, counseling, assessment, personnel, equipment or other capital outlay, in other than public schools, the Division of Vocational and Technical Education of the Department of Education shall publish a public notice of the intent to provide additional special services to the handicapped, specifying such services in the public notice, and inviting organizations that are recognized by the State to provide education, assessment, job skills training and/or vocational education to handicapped students to submit proposals to provide the additional special services. The Division of Vocational and Technical Education may award one or more contracts to any organization that can fulfill the goals and objectives of the program, or may assume responsibility for implementing the program as a Division of the Department of Education.

SECTION 13. Of the funds appropriated and made available for Computer Based Education-Grants in Section 1 of this Act, an amount of at least \$100,000 per year shall be used to contract with private providers for continuing an adult literacy project.

SECTION 14. Of the monies appropriated herein, the Department of Education is hereby authorized to expend up to \$50,000 during the 1987-89 biennium for the purpose of revising and publishing the School Laws of Arkansas.

SECTION 15. The funds appropriated in Item (04) of Section 1 of this Act for County General Aid shall, except in those instances where a majority of the school boards in the county have voted not to retain the offices and functions of the county supervisor or clerk, be disbursed to the several counties as now provided by law and shall remain in the respective counties and be apportioned on a pro rata basis to the schools or school districts within the county.

SECTION 16. 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 Purchasing 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 17. 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 18. CONTRACT RESTRICTIONS. The agency, board, commission, department or institution to whom funds are appropriated by this Act shall not enter into any contract for any professional or consultant services which shall extend for more than twenty (20) actual working days or the total compensation exceeds five thousand dollars (\$5,000) during any one fiscal year without first seeking the advice of the Arkansas Legislative Council. Provided further, that all contracts for professional or consultant services shall be submitted monthly to the Chief Fiscal Officer of the State for reporting to the Legislative Council.

SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1987 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1987 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, 1987.

/s/ John E. Miller

