

State of Arkansas

Call Item 4

84th General Assembly

A Bill

Second Extraordinary Session, 2003

HOUSE BILL 1035

By: Representatives Cleveland, P. Bookout, Chesterfield, Dangeau, Fite, J. Johnson, Moore, Seawel,
Thomas, Weaver, White

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS TEACHER SALARY AND
COMPENSATION STUDY COMMISSION OF THE DEPARTMENT
OF EDUCATION; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO CREATE THE ARKANSAS
TEACHER SALARY AND COMPENSATION STUDY
COMMISSION.

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

SECTION 1. (a) There is established a commission to be known as the
"Arkansas Teacher Salary and Compensation Study Commission".

(b) The commission shall consist of six (6) members as follows:

(1) Two (2) members appointed by the Governor as follows:

(A) One (1) person selected from a list of no fewer than
five (5) names submitted by the Arkansas Association of Educational
Administrators no later than five (5) days from the effective date of this
act; and

(B) One (1) person who is a highly qualified teacher
presently teaching in a public school in Arkansas;

(2) Two (2) members appointed by the President Pro Tempore of
the Senate as follows:

(A) One (1) person who is a superintendent of a public
school district in Arkansas;

(B) One (1) person selected from a list of no fewer than



five (5) names submitted by the Arkansas School Boards Association no later than five (5) days from the effective date of this act; and

(3) Two (2) members appointed by the Speaker of the House of Representatives as follows:

(A) One (1) person who is an economist; and

(B) One (1) person selected from a list of no fewer than five (5) names submitted by the Arkansas Association of Education Administrators no later than five (5) days from the effective date of this act.

(c) The appointed commission members shall be residents of the State of Arkansas at the time of appointment and throughout their term.

(d)(1) All appointments shall be made no later than ten (10) days after the effective date of this act.

(2) If any association fails to submit a list within five (5) days from the effective date of this act, the appointing official who did not receive a list may make an appointment from the state at large.

(e)(1) If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled by appointment by the official that made the appointment.

(2) The new appointee shall serve for the remainder of the unexpired term.

(f) The economist appointed by the Speaker of the House of Representatives shall serve as chairperson.

(g)(1) The commission shall meet at such times and places that the chairperson deems necessary but no meetings shall be held outside of the State of Arkansas.

(2) The chairperson shall call an organizational meeting no fewer than ten (10) days after all the members are appointed.

(3) Three (3) of the members of the commission shall constitute a quorum for the purpose of transacting business.

(4) All action of the commission shall be by a quorum.

(h) The commission shall:

(1) Develop market studies to define the amount of compensation and types of benefits that will be necessary to recruit and retain teachers for Arkansas public schools;

(2) Develop strategies that would create a procedure to provide

1 substantially equal teachers' salaries throughout the state taking into
2 consideration the cost of living in various parts of the state and other
3 economic factors;

4 (3) Design plans for correcting disparities in teachers'
5 salaries throughout the state;

6 (4) Recommend a starting salary and benefits package, including
7 stipends and other supplemental pay, that would make Arkansas competitive
8 with other states for teacher recruitment purposes;

9 (5) Equate any recommended teacher compensation package,
10 including stipends and other supplemental pay, with that offered by
11 surrounding states;

12 (6) Recommend superintendent compensation packages;

13 (7) Conduct market studies and other related studies that the
14 commission deems relevant to address the salary issues raised by the Arkansas
15 Supreme Court in the decision of Lake View School District No. 25 v.
16 Huckabee, 351 Ark. 31 (2002); and

17 (8) Provide a report to the Chairperson of the House Committee
18 on Education, the Chairperson of the Senate Committee on Education, the
19 Chairperson of the House Interim Committee on Education, the Chairperson of
20 the Senate Interim Committee on Education, and the Governor by September 1,
21 2004, and no less than quarterly thereafter or as requested by any
22 legislative committee or the Governor.

23 (i) The committee may make recommendations regarding compensation for
24 classified employees.

25 (j)(1) The Department of Education shall provide staff and office
26 space to the commission.

27 (2)(A)(i) The economist members of the commission shall be
28 entitled to compensation at their regular hourly rate not to exceed twenty-
29 five thousand dollars (\$25,000) per fiscal year for attendance at meetings
30 and work performed for the benefit of the committee to be paid by the
31 Department of Education.

32 (ii) The noneconomist members of the commission
33 shall serve without pay.

34 (B) All members of the commission may receive expense
35 reimbursement in accordance with Arkansas Code § 25-16-902 to be paid by the
36 Department of Education.

(k) The Department of Education shall make available funds appropriated in Act 1245 of 2003 available for the expenses associated with the work of the commission.

(l) This section shall expire on December 31, 2005 unless extended by an act of the General Assembly.

SECTION 2. ARKANSAS TEACHER SALARY AND COMPENSATION STUDY COMMISSION FUNDING PROVISION. Of the appropriation authorized by Act 1245 of 2003, Regular Session, for the necessary expenses associated with the Arkansas Teacher Salary and Compensation Study Commission of the Department of Education shall allocate and make available one hundred seventy-five thousand dollars (175,000) from the Department of Education Public School Fund Account to fund the expenses of the Arkansas Teacher Salary and Compensation Study Commission established by this Act. The Department of Education shall either expend or have committed for expenditure the monies allocated for the Arkansas Teacher Salary and Compensation Study Commission in order to fulfill the provisions of this section.

SECTION 3. Arkansas Code § 6-17-806 is repealed.

~~6-17-806. Arkansas Teachers' Salaries Study Commission.~~

~~(a)(1) There is created the Arkansas Teachers' Salaries Study Commission.~~

~~(2) It shall be composed of:~~

~~(A) The Chairman of the House Education Committee or his appointee;~~

~~(B) The Chairman of the Senate Education Committee or his appointee;~~

~~(C) The Director of the Department of Education;~~

~~(D) The Director of the Department of Workforce Education;~~

~~(E) One (1) representative of the Arkansas Association of Educational Administrators;~~

~~(F) One (1) representative of the Arkansas Education Association;~~

~~(G) One (1) representative of the Arkansas School Boards Association;~~

~~(H) The following persons appointed by the Governor:~~

1 ~~(i) One (1) public school teacher;~~

2 ~~(ii) One (1) public school superintendent; and~~

3 ~~(iii) Two (2) lay persons from the state at large.~~

4 ~~(b) The Arkansas Teachers' Salaries Study Commission shall conduct its~~
5 ~~study of the disparity in teachers' salaries among the state's school~~
6 ~~districts and among other states and report the results of its study, along~~
7 ~~with any recommendations, to each session of the General Assembly.~~

8
9 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly of the State of Arkansas that the Arkansas Supreme Court has
11 ruled that the current system of education in Arkansas is inadequate and
12 inequitable and has instructed the General Assembly to define what is
13 necessary to provide an adequate and equitable education for the children of
14 Arkansas which shall include as a basic component substantially equal
15 teachers' salaries. A committee must be formed immediately to allow the
16 commission sufficient time to complete the initial report of the committee
17 before the September 1, 2004 deadline. Therefore, an emergency is declared
18 to exist and this act being immediately necessary for the preservation of the
19 public peace, health, and safety shall become effective on:

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

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

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