

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/11/05 S3/29/05

A Bill

HOUSE BILL 2743

5 By: Representatives Wood, Dickinson
6 By: *Senator Salmon*
7

For An Act To Be Entitled

10 AN ACT TO PROVIDE THAT CERTIFIED TEACHERS FOR THE
11 ARKANSAS NATIONAL GUARD YOUTH CHALLENGE PROGRAM
12 AND THE C-STEP PROGRAM RECEIVE TEACHER SALARIES
13 AND BENEFITS SUBSTANTIALLY EQUAL TO THE SALARIES
14 AND BENEFITS RECEIVED BY TEACHERS IN THE PUBLIC
15 SCHOOLS; AND FOR OTHER PURPOSES.
16

Subtitle

17 TO PROVIDE THAT CERTIFIED TEACHERS FOR
18 THE ARKANSAS NATIONAL GUARD YOUTH
19 CHALLENGE PROGRAM AND THE C-STEP PROGRAM
20 RECEIVE SUBSTANTIALLY EQUAL TEACHER
21 SALARIES AND BENEFITS.
22
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24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. Arkansas Code Title 6, Chapter 17, Subchapter 24 is amended
28 to add an additional section as follows:

29 6-17-2406. Applicability of teacher salary schedule.

30 (a) As used in this section:

31 (1) "Teacher" means any full-time employee of the C-Step Program
32 or the Arkansas National Guard Youth Challenge Program, or both:

33 (A) Who is compelled by law to secure a license from the
34 State Board of Education as a condition precedent to employment in a position
35 in or related to grades prekindergarten through twelve (preK-12); and

36 (B) Who is:



1 (i) Engaged directly in instruction with students in
2 a classroom setting for more than seventy percent (70%) of the individual's
3 contracted time;

4 (ii) A guidance counselor; or

5 (iii) A librarian or media specialist.

6 (b) To the extent funds are specifically appropriated therefor by the
7 General Assembly, any teacher employed by the C-Step Program or the Arkansas
8 National Guard Youth Challenge Program, or both, shall be paid no less than
9 the amounts set forth under the Teacher Compensation Program of 2003, § 6-17-
10 2401 et seq.

11 (c) Nothing in this section shall be construed to require a school
12 district to pay the salary of any teacher who is not an employee of the
13 school district or to require that teachers be paid from any state funds
14 other than as appropriated by the General Assembly.

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16 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
17 General Assembly of the State of Arkansas that the Arkansas Supreme Court in
18 Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the
19 current system of education to be unconstitutional because it is both
20 inequitable and inadequate; and the Arkansas Supreme Court set forth the test
21 for a constitutional system to be one in which the state has an "absolute
22 duty" to provide an "equal opportunity to an adequate education"; the
23 Arkansas Supreme Court instructed the General Assembly to undertake actions
24 as necessary to provide an opportunity for an adequate and equitable
25 education for the children of Arkansas; and the provisions of this act are
26 necessary steps toward accomplishing that goal. Therefore, an emergency is
27 declared to exist and this act being immediately necessary for the
28 preservation of the public peace, health, and safety shall become effective
29 on:

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

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

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

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/s/ Wood