

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: S3/7/05
A Bill

SENATE BILL 457

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF EDUCATION
16 APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
18
19

20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Education for the 2005-2007 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	2005-2006	2006-2007
(1)	9945	ED DIRECTOR - GENERAL DIVISION	1	\$204,620	\$208,599
(2)	9952	ED DEP DIRECTOR - GENERAL DIVISION	1	\$107,760	\$110,286
(3)	9502	ASST DIR INFORMTAION & TECHNOLOGY	1	\$88,497	\$90,728
(4)	9501	ASST DIR FINANCE & ADMINISTRATION	1	\$88,497	\$90,728
(5)	9500	ASST DIR TECH ASSISTANCE	1	\$88,497	\$90,728
(6)	9287	ED ASST DIR ACADEMIC FACILITIES	1	\$88,497	\$90,728
(7)	9041	ED ASST DIR SCHOOL IMPROVEMENT	1	\$88,497	\$90,728
(8)	9040	ED ASST DIR PUBLIC SCHOOL FINANCE	1	\$88,497	\$90,728
(9)	9039	ED ASST DIR OF COMMUNICATIONS	1	\$88,497	\$90,728
(10)	9277	ADE LITIGATION ATTORNEY	1	\$81,617	\$83,717
(11)	213Z	ED LEAD PLNR FOR DESEGREG MONITOR	1		GRADE 26
(12)	216Z	ED ASSOC DIR FOR SPECIAL EDUCATION	1		GRADE 26
(13)	217Z	ASSOC DIR STUDENT SUPPORT SERVICES	1		GRADE 26
(14)	221Z	ED ASSOC DIR FINANCE	1		GRADE 26
(15)	031Z	ED LEGAL ASST TO DIRECTOR	1		GRADE 26
(16)	R005	ED ASSISTANT TO DIRECTOR	1		GRADE 26
(17)	R170	ATTORNEY SPECIALIST	2		GRADE 25
(18)	A046	AGENCY CONTROLLER	1		GRADE 25
(19)	066Z	EDUCATION COMMUNICATION MGR	1		GRADE 24
(20)	R036	ATTORNEY	1		GRADE 24
(21)	R069	ED STATISTICAL ANALYST & RESEARCHER	1		GRADE 24
(22)	R135	ED COORD RESEARCH & STATISTICS	1		GRADE 24
(23)	R063	EDUCATION CURRICULUM SUPERVISOR	3		GRADE 23
(24)	R067	EDUCATION RESEARCH SPECIALIST	1		GRADE 23
(25)	E032	ED ACCOUNTABILITY PROGRAM COORD	1		GRADE 23
(26)	055Z	DP MANAGER	1		GRADE 23
(27)	237Z	ED COORD SPECIAL EDUCATION	1		GRADE 23
(28)	238Z	ED COORD TEACHER EDUC, CERT & TEST	1		GRADE 23
(29)	836Z	COORDINATOR OF CHAPTER II	1		GRADE 23
(30)	227Z	ED COORD CHAPTER I PROGRAMS	1		GRADE 23
(31)	233Z	ED DIR CHILD NUTRITION PROGRAMS	1		GRADE 23
(32)	D080	APPLICATIONS & SYSTEMS MANAGER	1		GRADE 23
(33)	D124	LEAD PROGRAMMER/ANALYST	1		GRADE 22
(34)	A047	GENERAL FINANCE COORDINATOR	4		GRADE 22

1	(35)	235Z	ED COORD SCHOOL PLANT SERVICES	1	GRADE 22
2	(36)	062Z	ED PERSONNEL MANAGER	1	GRADE 22
3	(37)	909Z	PROGRAM SUPPORT MANAGER	26	GRADE 22
4	(38)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22
5	(39)	R031	ED SUPERVISOR MIGRANT EDUCATION	1	GRADE 22
6	(40)	V042	GENERAL SERVICES MANAGER	1	GRADE 22
7	(41)	R288	PUBLIC SCHOOL ADMIN ADVISOR	53	GRADE 21
8	(42)	R290	PUBLIC SCHOOL PROGRAM ADVISOR	73	GRADE 21
9	(43)	R028	ED PROGRAM ANALYST	12	GRADE 21
10	(44)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
11	(45)	E028	ED PROGRAM ADMINISTRATOR	4	GRADE 21
12	(46)	D123	APPLICATIONS & SYSTEMS ANALYST	5	GRADE 21
13	(47)	D036	SR PROGRAMMER/ANALYST	2	GRADE 21
14	(48)	A056	INTERNAL AUDITOR	1	GRADE 20
15	(49)	E035	ADE FINANCIAL ANALYST	4	GRADE 20
16	(50)	V005	ED SUPERVISOR SPECIAL SERVICES	1	GRADE 20
17	(51)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE 20
18	(52)	R133	AGENCY DIRECTOR RESEARCH & STATS	2	GRADE 20
19	(53)	R168	GRANTS COORDINATOR II	3	GRADE 19
20	(54)	R204	PARALEGAL/LEGAL ASSISTANT	1	GRADE 19
21	(55)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
22	(56)	A110	ACCOUNTANT II	5	GRADE 19
23	(57)	A111	ACCOUNTANT	2	GRADE 18
24	(58)	E072	TRAINING INSTRUCTOR	1	GRADE 18
25	(59)	G028	BLDG PLANT MAINTENANCE SUPV II	2	GRADE 18
26	(60)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
27	(61)	G161	GENERAL MAINTENANCE REPAIRMAN	1	GRADE 17
28	(62)	R190	PERSONNEL OFFICER II	1	GRADE 17
29	(63)	R010	ADMINISTRATIVE ASSISTANT II	28	GRADE 17
30	(64)	Y085	PRINTER II	1	GRADE 16
31	(65)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	1	GRADE 15
32	(66)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
33	(67)	R009	ADMINISTRATIVE ASSISTANT I	7	GRADE 15
34	(68)	A108	ACCOUNTING TECHNICIAN II	5	GRADE 15
35	(69)	A063	PAYROLL OFFICER	1	GRADE 15
36	(70)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14

1	(71)	K153	SECRETARY II	41	GRADE 13
2	(72)	D003	COMPUTER OPERATOR I	1	GRADE 13
3	(73)	Y083	PRINTER I	1	GRADE 13
4	(74)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
5	(75)	K181	MAILROOM SUPERVISOR	1	GRADE 12
6	(76)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
7	(77)	K039	DOCUMENT EXAMINER II	2	GRADE 12
8	(78)	K155	SECRETARY I	4	GRADE 11
9	(79)	T043	SECURITY OFFICER I	1	GRADE 11
10	(80)	K103	REPROD EQUIPMENT OPERATOR	<u>1</u>	GRADE 10
11			MAX. NO. OF EMPLOYEES	356	

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13 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for
 14 the Department of Education - State Operations for the 2005-2007 biennium,
 15 the following maximum number of part-time or temporary employees, to be known
 16 as "Extra Help", payable from funds appropriated herein for such purposes:
 17 eight (8) temporary or part-time employees, when needed, at rates of pay not
 18 to exceed those provided in the Uniform Classification and Compensation Act,
 19 or its successor, or this act for the appropriate classification.

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21 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 22 to the Department of Education, to be payable from the Department of
 23 Education Fund Account, for personal services and operating expenses of the
 24 Department of Education - State Operations for the biennial period ending
 25 June 30, 2007, the following:

26

27	ITEM	FISCAL YEARS	
28	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
29	(01) REGULAR SALARIES	\$ 11,507,684	\$ 11,840,689
30	(02) EXTRA HELP	14,998	14,998
31	(03) PERSONAL SERVICES MATCHING	3,508,991	3,581,257
32	(04) MAINT. & GEN. OPERATION		
33	(A) OPER. EXPENSE	2,925,404	2,925,404
34	(B) CONF. & TRAVEL	203,030	203,030
35	(C) PROF. FEES	224,800	224,800
36	(D) CAP. OUTLAY	100,000	100,000

1	(E) DATA PROC.	1,764,000	1,764,000
2	(05) READING RECOVERY	100,000	100,000
3	(06) AR LEADERSHIP ACADEMY	300,000	300,000
4	(07) COMPACT EDUC. RESEARCH & DEV.	<u>15,000</u>	<u>15,000</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 20,663,907</u>	<u>\$ 21,069,178</u>

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 7 SECTION 4. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. There is hereby
 8 appropriated, to the Department of Education, to be payable from the federal
 9 funds as designated by the Chief Fiscal Officer of the State, for personal
 10 services and operating expenses of the Department of Education - Federal
 11 Grants Administration for the biennial period ending June 30, 2007, the
 12 following:

14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
16	(01) REGULAR SALARIES	\$ 380,590	\$ 391,494
17	(02) PERSONAL SERVICES MATCHING	115,265	117,632
18	(03) MAINT. & GEN. OPERATION		
19	(A) OPER. EXPENSE	49,970	49,970
20	(B) CONF. & TRAVEL	19,672	19,672
21	(C) PROF. FEES	60,000	60,000
22	(D) CAP. OUTLAY	0	0
23	(E) DATA PROC.	<u>0</u>	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 625,497</u>	<u>\$ 638,768</u>

25
 26 SECTION 5. APPROPRIATION - BUILDING MAINTENANCE. There is hereby
 27 appropriated, to the Department of Education, to be payable from the
 28 Educational Building Revenue Bond Fund, for operating expenses of the
 29 Department of Education - Building Maintenance for the biennial period ending
 30 June 30, 2007, the following:

32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
34	(01) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSE	\$ 500,000	\$ 500,000
36	(B) CONF. & TRAVEL	0	0

1	(C) PROF. FEES	0	0
2	(D) CAP. OUTLAY	0	0
3	(E) DATA PROC.	<u>0</u>	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 500,000</u>	<u>\$ 500,000</u>

5
6 SECTION 6. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There is
7 hereby appropriated, to the Department of Education, to be payable from the
8 Education Revolving Loan Certificates Fund, for personal services and
9 operating expenses of the Department of Education - Revolving Loan
10 Certificates Program for the biennial period ending June 30, 2007, the
11 following:

13	ITEM	FISCAL YEARS	
14	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
15	(01) REGULAR SALARIES	\$ 107,722	\$ 110,951
16	(02) PERSONAL SERVICES MATCHING	38,747	39,447
17	(03) MAINT. & GEN. OPERATION		
18	(A) OPER. EXPENSE	27,500	27,500
19	(B) CONF. & TRAVEL	2,500	2,500
20	(C) PROF. FEES	10,000	10,000
21	(D) CAP. OUTLAY	0	0
22	(E) DATA PROC.	0	0
23	(04) LOANS TO SCHOOL DISTRICTS	<u>13,000,000</u>	<u>13,000,000</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 13,186,469</u>	<u>\$ 13,190,398</u>

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26 SECTION 7. APPROPRIATION - CHILD NUTRITION PROGRAM. There is hereby
27 appropriated, to the Department of Education, to be payable from the federal
28 funds as designated by the Chief Fiscal Officer of the State, for personal
29 services and operating expenses of the Department of Education - Child
30 Nutrition Program for the biennial period ending June 30, 2007, the
31 following:

33	ITEM	FISCAL YEARS	
34	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
35	(01) REGULAR SALARIES	\$ 568,547	\$ 585,345
36	(02) PERSONAL SERVICES MATCHING	181,030	184,679

1	(03) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	393,100	393,100
3	(B) CONF. & TRAVEL	52,600	52,600
4	(C) PROF. FEES	156,400	156,400
5	(D) CAP. OUTLAY	0	0
6	(E) DATA PROC.	0	0
7	(04) SCHOOL FOOD SERVICE/NUTRITION ED	136,400,000	148,800,000
8	(05) REFUND/REIMBURSEMENTS	<u>330,000</u>	<u>360,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 138,081,677</u>	<u>\$ 150,532,124</u>

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11 SECTION 8. APPROPRIATION - FEDERAL TURNBACK PROGRAM. There is hereby
 12 appropriated, to the Department of Education, to be payable from the federal
 13 funds as designated by the Chief Fiscal Officer of the State, for federal
 14 turnback to school districts of the Department of Education - Federal
 15 Turnback Program for the biennial period ending June 30, 2007, the following:

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17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
19	(01) FEDERAL TURNBACK	<u>\$ 11,000,000</u>	<u>\$ 11,000,000</u>

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21 SECTION 9. EXTRA HELP - FEDERAL ELEMENTARY AND SECONDARY EDUCATION. There
 22 is hereby authorized, for the Department of Education - Federal Elementary
 23 and Secondary Education for the 2005-2007 biennium, the following maximum
 24 number of part-time or temporary employees, to be known as "Extra Help",
 25 payable from funds appropriated herein for such purposes: four (4) temporary
 26 or part-time employees, when needed, at rates of pay not to exceed those
 27 provided in the Uniform Classification and Compensation Act, or its
 28 successor, or this act for the appropriate classification.

29

30 SECTION 10. APPROPRIATION - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.
 31 There is hereby appropriated, to the Department of Education, to be payable
 32 from the federal funds as designated by the Chief Fiscal Officer of the
 33 State, for personal services and operating expenses of the Department of
 34 Education - Federal Elementary and Secondary Education for the biennial
 35 period ending June 30, 2007, the following:

36

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 2,647,991	\$ 2,725,897
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERVICES MATCHING	829,098	846,004
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	3,455,900	3,455,900
(B) CONF. & TRAVEL	710,500	710,500
(C) PROF. FEES	7,200,830	7,200,830
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	86,000	86,000
(05) ENTITLEMENT GRANT PROGRAMS	409,688,367	446,932,764
(06) REFUND/REIMBURSEMENTS	<u>300,000</u>	<u>300,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 424,928,686</u>	<u>\$ 462,267,895</u>

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SECTION 11. APPROPRIATION - GATES FOUNDATION GRANT. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Education - Gates Foundation Grant for the biennial period ending June 30, 2007, the following:

22

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 154,000	\$ 169,400
(B) CONF. & TRAVEL	38,500	42,350
(C) PROF. FEES	110,000	121,000
(D) CAP. OUTLAY	25,000	25,000
(E) DATA PROC.	0	0
(02) GATES FOUNDATION GRANTS	<u>412,500</u>	<u>453,750</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 740,000</u>	<u>\$ 811,500</u>

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SECTION 12. APPROPRIATION - MULTIPLE GRANT AWARD. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal

36

1 Officer of the State, for operating expenses and grants of the Department of
 2 Education - Multiple Grant Award Program for the biennial period ending June
 3 30, 2007, the following:

4

5 ITEM	FISCAL YEARS	
6 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
7 (01) MAINT. & GEN. OPERATION		
8 (A) OPER. EXPENSE	\$ 122,000	\$ 122,000
9 (B) CONF. & TRAVEL	16,500	16,500
10 (C) PROF. FEES	40,000	40,000
11 (D) CAP. OUTLAY	10,000	10,000
12 (E) DATA PROC.	0	0
13 (02) MULTIPLE GRANT AWARDS	<u>2,447,875</u>	<u>2,447,875</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,636,375</u>	<u>\$ 2,636,375</u>

15

16 SECTION 13. APPROPRIATION - MEDICAID REIMBURSEMENT. There is hereby
 17 appropriated, to the Department of Education, to be payable from the cash
 18 fund deposited in the State Treasury as determined by the Chief Fiscal
 19 Officer of the State, for Medicaid Reimbursement and administration of the
 20 Department of Education - Medicaid Reimbursement Program for the biennial
 21 period ending June 30, 2007, the following:

22

23 ITEM	FISCAL YEARS	
24 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
25 (01) REFUND/REIMBURSEMENTS	\$ 5,000,000	\$ 5,000,000
26 (02) MEDICAID ADMIN	<u>10,500</u>	<u>10,500</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 5,010,500</u>	<u>\$ 5,010,500</u>

28

29 SECTION 14. APPROPRIATION - ALTERNATIVE CERTIFICATION PROGRAM. There is
 30 hereby appropriated, to the Department of Education, to be payable from the
 31 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 32 Officer of the State, for operating expenses of the Department of Education -
 33 Alternative Certification Program for the biennial period ending June 30,
 34 2007, the following:

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36 ITEM	FISCAL YEARS	
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1	NO.	2005-2006	2006-2007
2	(01) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	\$ 716,100	\$ 716,100
4	(B) CONF. & TRAVEL	0	0
5	(C) PROF. FEES	32,000	32,000
6	(D) CAP. OUTLAY	0	0
7	(E) DATA PROC.	<u>0</u>	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 748,100</u>	<u>\$ 748,100</u>

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10 SECTION 15. APPROPRIATION - FISH AND WILDLIFE CONSERVATION. There is
 11 hereby appropriated, to the Department of Education, to be payable from the
 12 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 13 Officer of the State, for grants for school education programs for fish and
 14 wildlife conservation of the Department of Education - Fish and Wildlife
 15 Conservation for the biennial period ending June 30, 2007, the following:

16

17	ITEM	FISCAL YEARS	
18	NO.	2005-2006	2006-2007
19	(01) FISH/WILDLIFE CONSERVATION GRANTS	<u>\$ 600,000</u>	<u>\$ 600,000</u>

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21 SECTION 16. APPROPRIATION - CASH FUNDS - CONFERENCES. There is hereby
 22 appropriated, to the Department of Education, to be payable from the cash
 23 fund deposited in the State Treasury as determined by the Chief Fiscal
 24 Officer of the State, for operating expenses of conferences sponsored by the
 25 Department of Education for the biennial period ending June 30, 2007, the
 26 following:

27

28	ITEM	FISCAL YEARS	
29	NO.	2005-2006	2006-2007
30	(01) MAINT. & GEN. OPERATION		
31	(A) OPER. EXPENSE	\$ 400,000	\$ 400,000
32	(B) CONF. & TRAVEL	25,000	25,000
33	(C) PROF. FEES	50,000	50,000
34	(D) CAP. OUTLAY	0	0
35	(E) DATA PROC.	<u>0</u>	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 475,000</u>	<u>\$ 475,000</u>

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SECTION 17. APPROPRIATION - SCHOOL DISTRICT MILLAGE ROLLBACK COMPENSATION.
There is hereby appropriated, to the Department of Education, to be payable from the Property Tax Relief Trust Fund, to compensate various school districts for Amendment 79 millage rollback for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) AMENDMENT 79 MILLAGE ROLLBACK COMPENSATION TO SCHOOL DISTRICTS	\$ 950,000	\$ 950,000

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
EQUALIZATION OF PERSONAL PROPERTY MILLAGE. (A) Amendment 79 of the Constitution of the State of Arkansas provides that school district millage must be equal for all classes of property and several school districts now have unequalized millage on real and personal property. The Arkansas Department of Education and the Assessment Coordination Department are hereby authorized to identify those school districts which are affected by the Amendment 79 provision to equalize millage and calculate the loss in revenues due to the equalization of the millage. Loss in revenue shall be defined as the difference between the collectable taxes calculated by multiplying the current assessment times the pre-equalized mills and the current assessment times post-equalized mills.
(B) School districts shall receive funding authorized herein equal to the loss in revenues as calculated by the Arkansas Department of Education and the Assessment Coordination Department.
(C) Funding received by school districts pursuant to this act shall be considered unrestricted revenues to those districts and shall be included in the calculation of total state and local revenues of each district.
The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TURNBACK

1 FUNDS. Any Federal Mineral Leasing Funds, Federal Forest Reserve Funds,
2 Federal Flood Control Funds, or any similar turnback funds in the State
3 Treasury for which the eligible county and/or school district cannot be
4 identified may be transferred to the Department of Education Public School
5 Fund Account and used for any lawful school purpose.

6 The provisions of this section shall be in effect only from July 1, 2003
7 2005 through June 30, ~~2005~~ 2007.

8

9 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. YEAR-END
11 FUND BALANCE. Notwithstanding any law pertaining to the transfer of year-end
12 fund balances or any law to the contrary, any funds which remain in the
13 Department of Education Fund Account at the end of a fiscal year shall remain
14 in the Department of Education Fund Account and made available to fund
15 appropriation authorized by law and made payable from the Department of
16 Education Fund Account for the following fiscal year.

17 The provisions of this section shall be in effect only from July 1, 2003
18 2005 through June 30, ~~2005~~ 2007.

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20 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY OF
22 THE DIRECTOR OF THE DEPARTMENT OF EDUCATION. It is the intent of the
23 General Assembly that the appropriation for the salary of the Director of the
24 Department of Education shall be the sole and exclusive authority for his or
25 her salary. It is further the intent of the General Assembly that the
26 Director be required to devote all of his or her working time exclusively to
27 the performance of his or her duties as Director of the Department of
28 Education. Therefore, the Director of the Department of Education is hereby
29 prohibited from accepting any additional salary from any other source
30 (including state, federal, or private entities or persons) for the
31 performance of his or her duties as Director, and is prohibited from
32 accepting any salary, fees or compensation from any other source (including
33 state, federal or private entities or persons) for any other employment of
34 any kind outside the scope of his or her duties as Director, including but
35 not limited to consulting work for any other public or private entity. This
36 section shall not be construed to prohibit the Director from accepting or

1 receiving expense reimbursements and employee benefits as provided by State
 2 law.

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4 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DEPARTMENT
 6 OF EDUCATION - KEY PERFORMANCE MEASURES.

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	TARGET	
	FISCAL YEARS	
PROGRAM/MEASURE	2005-2006	2006-2007
(A) ACCOUNTABILITY - Percent of academic curriculum frameworks revised and distributed	Social Studies 100%	Foreign Language 100%
(B) ACCOUNTABILITY - Percent of schools meeting or exceeding ACTAAP accountability indicators	80%	80%
(C) ACCOUNTABILITY - Percent of teachers fully certified	96%	98%
(D) ACCOUNTABILITY - Number of School Performance Reports published and distributed annually (approximate #)	425,000	445,000
(E) ACCOUNTABILITY - Percent of public schools monitored to determine the number not making adequate yearly progress (AYP)	100%	100%
(F) PUBLIC SCHOOL FINANCE - 100% accuracy in funding for 254 school districts on Foundation Funding distributions	100%	100%
(G) INSTRUCTIONAL SUPPORT SERVICES PROGRAM - Percent of schools participating in mentoring programs	80%	100%
(H) INSTRUCTIONAL SUPPORT SERVICES PROGRAM - Number of additional teachers entering advanced certification programs	225	250
(I) INSTRUCTIONAL SUPPORT SERVICES PROGRAM - Number of districts that offer AP courses	140	150

1	<u>(J) INSTRUCTIONAL SUPPORT SERVICES PROGRAM -</u>		
2	<u>Percent of districts submitting</u>		
3	<u>Substantially Acceptable APSCN cycle</u>		
4	<u>Reports</u>	95%	95%
5	<u>(K) INSTRUCTIONAL SUPPORT SERVICES PROGRAM -</u>		
6	<u>Percent of districts receiving technical</u>		
7	<u>assistance and/or training from APSCN</u>		
8	<u>personnel.</u>	85%	85%
9	<u>(L) INSTRUCTIONAL SUPPORT SERVICES PROGRAM -</u>		
10	<u>By June 30, 2009, to expand the use of</u>		
11	<u>technology and distance learning</u>		
12	<u>opportunities in Arkansas Public Schools</u>		
13	<u>(1) Percentage of learning units implemented</u>	75%	100%
14	<u>(2) Percentage of districts utilizing</u>		
15	<u>distance learning</u>	80%	90%
16	<u>By June 30, 2009 to implement an</u>		
17	<u>instructional technology system designed</u>		
18	<u>to improve student academic achievement as</u>		
19	<u>well as technology competencies of students</u>		
20	<u>and teachers</u>		
21	<u>(1) Percent of teachers and</u>		
22	<u>administrators trained</u>	60%	50%
23	<u>(M) INSTRUCTIONAL SUPPORT SERVICES PROGRAM -</u>		
24	<u>Percent implementation of technology-based</u>		
25	<u>planning for Consolidated School Improvement</u>		
26	<u>Plan</u>	100%	100%
27	<u>(N) LOCAL EDUCATION FEDERAL GRANT PROGRAM -</u>		
28	<u>Percent of public school districts that</u>		
29	<u>develop and maintain School Improvement</u>		
30	<u>Plans as required by No Child Left Behind</u>		
31	<u>(NCLB).</u>	85%	85%
32	<u>(O) LOCAL EDUCATION FEDERAL GRANT PROGRAM -</u>		
33	<u>Percent of public schools that are monitored</u>		
34	<u>annually to determine compliance with state</u>		
35	<u>and federal laws and regulations.</u>	50%	50%
36	<u>(P) LOCAL EDUCATION FEDERAL GRANT PROGRAM -</u>		

1	<u>State will file timely and accurate</u>		
2	<u>Consolidated State NCLB Performance</u>		
3	<u>Report, Part I and II.</u>	100%	100%
4	<u>(Q) ADMINISTRATION AND SUPPORT SERVICES</u>		
5	<u>PROGRAM - Number of repeat state or</u>		
6	<u>federal audit findings related to financial</u>		
7	<u>transactions administered by internal</u>		
8	<u>administration</u>	< 3	< 3

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10 The provisions of this section shall be in effect only from July 1, 2005
 11 through June 30, 2007.

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13 SECTION 23. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 14 by this act shall be limited to the appropriation for such agency and funds
 15 made available by law for the support of such appropriations; and the
 16 restrictions of the State Procurement Law, the General Accounting and
 17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 18 Procedures and Restrictions Act, or their successors, and other fiscal
 19 control laws of this State, where applicable, and regulations promulgated by
 20 the Department of Finance and Administration, as authorized by law, shall be
 21 strictly complied with in disbursement of said funds.

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23 SECTION 24. LEGISLATIVE INTENT. It is the intent of the General Assembly
 24 that any funds disbursed under the authority of the appropriations contained
 25 in this act shall be in compliance with the stated reasons for which this act
 26 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 27 and Legislative Recommendations contained in the budget manuals prepared by
 28 the Department of Finance and Administration, letters, or summarized oral
 29 testimony in the official minutes of the Arkansas Legislative Council or
 30 Joint Budget Committee which relate to its passage and adoption.

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32 SECTION 25. EMERGENCY CLAUSE. It is found and determined by the General
 33 Assembly, that the Constitution of the State of Arkansas prohibits the
 34 appropriation of funds for more than a two (2) year period; that the
 35 effectiveness of this Act on July 1, 2005 is essential to the operation of
 36 the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the Regular Session, the delay in the effective
2 date of this Act beyond July 1, 2005 could work irreparable harm upon the
3 proper administration and provision of essential governmental programs.
4 Therefore, an emergency is hereby declared to exist and this Act being
5 necessary for the immediate preservation of the public peace, health and
6 safety shall be in full force and effect from and after July 1, 2005.

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8 */s/ Joint Budget Committee*
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