

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: S3/21/05 S3/28/05

# A Bill

SENATE BILL 503

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND  
10 AIDS TO LOCAL SCHOOL DISTRICTS AND SPECIAL  
11 PROGRAMS FOR THE DEPARTMENT OF EDUCATION FOR THE  
12 BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
17 GRANTS AND AIDS TO LOCAL SCHOOL  
18 DISTRICTS APPROPRIATION FOR THE 2005-  
19 2007 BIENNIUM.  
20  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department  
26 of Education, to be payable from the Department of Education Public School  
27 Fund Account, for grants and aids to local school districts and special  
28 programs of the Department of Education for the biennial period ending June  
29 30, 2007, the following:  
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31 ITEM	32 FISCAL YEARS	
	NO.	
33 (01) BETTER CHANCE PROGRAM	\$ 51,166,500	\$ 51,166,500
34 (02) ACADEMIC IMPROVEMENT TRAINING	500,000	500,000
35 (03) ADVANCED PLACEMENT INCENTIVE	575,000	575,000
36 (04) ALTERNATIVE LEARNING	19,100,000	19,100,000



1	(05)	ARKANSAS EASTER SEALS	193,113	193,113
2	(06)	ASSESSMENT/END OF LEVEL TESTING	21,610,250	21,610,250
3	(07)	AT RISK	1,490,500	1,490,500
4	(08)	CONSOLIDATION INCENTIVE	1,520,000	1,520,000
5	(09)	CONTENT STANDARDS	161,000	161,000
6	(10)	COOP EDUCATION TECH CENTERS	750,000	750,000
7	(11)	DISTANCE LEARN OPERATIONS	5,831,400	5,831,400
8	(12)	COURT ORDERED DESEGREGATION	57,012,500	57,012,500
9	(13)	CRIMINAL BACKGROUND CHECKS	125,000	125,000
10	(14)	DEBT SERVICE FUNDING	27,464,629	27,464,629
11	(15)	DEPT. OF CORRECTION	4,027,675	4,027,675
12	(16)	DISTANCE LEARNING	3,500,000	3,500,000
13	(17)	DISTRESSED DISTRICT	300,000	300,000
14	(18)	EARLY CHILDHOOD SPECIAL EDUCATION	7,498,454	7,498,454
15	(19)	EDUCATIONN SERVICE COOPERATIVES	5,839,270	5,839,270
16	(20)	ENGLISH LANGUAGE LEARNERS	3,736,795	3,736,795
17	(21)	GENERAL FACILITIES FUNDING	8,108,762	8,108,762
18	(22)	ECONOMIC EDUCATION	300,000	300,000
19	(23)	GIFTED & TALENTED	1,292,896	1,292,896
20	(24)	HOME SCHOOL TESTING	50,000	50,000
21	(25)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150	526,150
22	(26)	INTENSIVE SCHOOL SUPPORT	320,000	320,000
23	(27)	ISOLATED FUNDING	7,896,000	7,896,000
24	(28)	<i>LEADERSHIP ACADEMY-MASTER PRINCIPAL</i>	500,000	500,000
25	(29)	NATIONAL BOARD OF PROF TEACHING		
26		STANDARDS	1,420,000	1,420,000
27	(30)	NATIONAL SCHOOL LUNCH	133,420,320	133,420,320
28	(31)	PROFESSIONAL DEVELOPMENT FUNDING	22,419,371	22,419,371
29	(32)	PUBLIC SCHOOL EMPLOYEE INSURANCE	1,106,500	1,106,500
30	(33)	GRANTS TO SCHOOL DISTRICTS	35,000	35,000
31	(34)	PYGMALION COMMISSION	40,000	40,000
32	(35)	RESIDENTTIAL CENTERS/JUVENILE		
33		DETENTION	8,686,108	8,686,108
34	(36)	SAFETY TRAINING	750,000	750,000
35	(37)	SCHOOL FOOD SERVICES	1,650,000	1,650,000
36	(38)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000	75,000

1	(39)	SCHOOL WORKER DEFENSE	390,000	390,000
2	(40)	SERIOUS OFFENDER	724,000	724,000
3	(41)	SMART START/SMART STEP	6,461,815	6,461,815
4	(42)	SPECIAL EDUCATION-CATASTROPHIC	8,800,000	8,800,000
5	(43)	SPECIAL EDUCATION SERVICES	4,145,285	4,145,285
6	(44)	INTERVENTION BLOCK GRANTS	132,000	132,000
7	(45)	STATE FOUNDATION FUNDING	1,735,000,000	1,735,000,000
8	(46)	STUDENT GROWTH	38,849,946	38,849,946
9	(47)	SUPPLEMENTAL MILLAGE	10,000,000	10,000,000
10	(48)	SURPLUS COMMODITIES	630,000	630,000
11	(49)	TEACHER LICENSING/MENTORING	5,902,258	5,902,258
12	(50)	TEACHER RECRUITMENT	2,100,000	2,100,000
13	(51)	TEACHER RETIREMENT MATCHING	4,200,000	4,200,000
14	(52)	TECHNOLOGY IMPROVEMENTS	1,000,000	1,000,000
15	(53)	WORKER'S COMPENSATION	450,000	450,000
16	(54)	YOUTH SHELTERS	165,000	165,000
17	(55)	NON-TRADITIONAL LICENSURE	50,000	50,000
18	(56)	TEACHER HOUSING DEVELOPMENT	100,000	100,000
19	(57)	TECHNOLOGY GRANTS	1,602,678	1,602,678
20	(58)	LEADERSHIP ACADEMY	<u>600,000</u>	<u>600,000</u>
21		TOTAL AMOUNT APPROPRIATED	<u>\$2,222,301,175</u>	<u>\$2,222,301,175</u>

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23 SECTION 2. REGULAR SALARIES - APSCN. There is hereby established for the  
 24 Department of Education - Arkansas Public School Computer Network for the  
 25 2005-2007 biennium, the following maximum number of regular employees whose  
 26 salaries shall be governed by the provisions of the Uniform Classification  
 27 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,  
 28 and all laws amendatory thereto. Provided, however, that any position to  
 29 which a specific maximum annual salary is set out herein in dollars, shall be  
 30 exempt from the provisions of said Uniform Classification and Compensation  
 31 Act. All persons occupying positions authorized herein are hereby governed  
 32 by the provisions of the Regular Salaries Procedures and Restrictions Act  
 33 (Arkansas Code §21-5-101), or its successor.

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	Maximum Annual
Maximum	Salary Rate

Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2005-2006	2006-2007
3	(1)	027Z ED ASSOC DIRECTOR APSCN	1	GRADE 26	
4	(2)	827Z DP CENTER MANAGER	1	GRADE 26	
5	(3)	903Z TECHNICAL ASSISTANCE MANAGER	2	GRADE 24	
6	(4)	D064 SR SYSTEMS PROGRAMMER	1	GRADE 24	
7	(5)	028Z ED APSCN COOR/INTERNAL OPS	1	GRADE 23	
8	(6)	D124 LEAD PROGRAMMER/ANALYST	2	GRADE 22	
9	(7)	D123 APPLICATIONS & SYSTEMS ANALYST	1	GRADE 21	
10	(8)	R290 PUBLIC SCHOOL PROGRAM ADVISOR	20	GRADE 21	
11	(9)	R266 MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
12	(10)	E114 STAFF DEVELOPMENT COORDINATOR	6	GRADE 20	
13	(11)	A110 ACCOUNTANT II	1	GRADE 19	
14	(12)	E072 TRAINING INSTRUCTOR	4	GRADE 18	
15	(13)	R264 MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
16	(14)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
17	(15)	K155 SECRETARY I	<u>1</u>	GRADE 11	
18		MAX. NO. OF EMPLOYEES	45		

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20 SECTION 3. APPROPRIATION - APSCN. There is hereby appropriated, to the  
 21 Department of Education, to be payable from the Department of Education  
 22 Public School Fund Account, for personal services and operating expenses of  
 23 the Department of Education - Arkansas Public School Computer Network for the  
 24 biennial period ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS		
		2005-2006	2006-2007
28	(01) REGULAR SALARIES	\$ 1,875,472	\$ 1,930,963
29	(02) PERSONAL SERVICES MATCHING	579,966	592,012
30	(03) MAINT. & GEN. OPERATION		
31	(A) OPER. EXPENSE	1,305,495	1,305,495
32	(B) CONF. & TRAVEL	7,250	7,250
33	(C) PROF. FEES	0	0
34	(D) CAP. OUTLAY	0	0
35	(E) DATA PROC.	7,276,424	7,276,424
36	(04) DATA ACCESS IMPLEMENTATION	<u>800,000</u>	<u>800,000</u>

1 TOTAL AMOUNT APPROPRIATED \$ 11,844,607 \$ 11,912,144

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SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There is hereby established for the Department of Education- - Office of Education Renewal Zones for the 2005-2007 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				Fiscal Years 2005-2006	Fiscal Years 2006-2007
(1)	917Z	OERZ DIRECTOR	1	GRADE 26	
(2)	R085	TECHNICAL ASSISTANCE SPECIALIST	3	GRADE 21	
(3)	R009	ADMINISTRATIVE ASSISTANT I	<u>1</u>	GRADE 15	
		MAX. NO. OF EMPLOYEES	5		

SECTION 5. APPROPRIATION - EDUCATION RENEWAL ZONES. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for personal services and operating expenses of the Department of Education - Education Renewal Zones for the biennial period ending June 30, 2007, the following:

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ITEM NO.		FISCAL YEARS	
		2005-2006	2006-2007
(01)	REGULAR SALARIES	\$ 229,529	\$ 236,161
(02)	PERSONAL SERVICES MATCHING	69,031	70,471
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	29,700	29,700

1	(B) CONF. & TRAVEL	8,000	8,000
2	(C) PROF. FEES	1,440,000	1,440,000
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	0	0
5	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>234,000</u>	<u>234,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,010,260</u>	<u>\$ 2,018,332</u>

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8 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO  
 10 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School  
 11 Districts appropriation in Section 1 of this Act, "school district" means a  
 12 school district which contracts with a school district in an adjoining state  
 13 for the education of some of the pupils within the Arkansas school district  
 14 because the portion of the school district wherein such pupils live is  
 15 completely separated from the remainder of the school district by a reservoir  
 16 covering at least 12,000 acres at normal water level, and where to attend  
 17 school in their own district, the pupils of said portion would be required to  
 18 travel or to be transported a distance (measured by the nearest highway or  
 19 road route) of more than 35 miles round trip and pass through another school  
 20 district or districts. The Department of Education shall distribute the  
 21 monies appropriated for Grants to School Districts in Section 1 of this Act  
 22 to such school districts as reimbursement for expenses incurred in educating  
 23 the pupils residing in the separated portion of the school district. Such  
 24 school districts shall file a request for reimbursement with the Department  
 25 of Education and provide the Department of Education with such documentation  
 26 as is deemed necessary.

27 The provisions of this section shall be in effect only from July 1, ~~2003~~  
 28 2005 through June 30, ~~2005~~ 2007.

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30 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
 32 EDUCATION SERVICES. The funds appropriated in the line item "Special  
 33 Education Services" in Section 1 of this Act shall be used to provide  
 34 extended year summer programs for handicapped students in need of such  
 35 services, to provide special education services to foster children who are  
 36 wards of the State, and to provide funds for the payment of salaries of

1 special education supervisors. The Department of Education shall distribute  
2 such funds in the manner necessary to carry out the intent of this Section.

3 The provisions of this section shall be in effect only from July 1, 2003  
4 2005 through June 30, ~~2005~~ 2007.

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6 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School  
9 Districts shall pay the teacher retirement employer contribution rate for any  
10 eligible employee in accordance with rules and regulations established by the  
11 Teacher Retirement Board of Directors. The appropriation contained herein for  
12 Teacher Retirement Matching each fiscal year shall be used to provide the  
13 employer matching for employees of the ~~Cooperative Education Services Areas,~~  
14 ~~Vocational Centers,~~ Arkansas Easter Seals ~~and the school operated by the~~  
15 ~~Department of Correction.~~

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

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19 SECTION 9. SPECIAL LANGUAGE. ~~PULASKI COUNTY~~ DESEGREGATION EXPENSES. (A)  
20 For the fiscal year ending June 30, ~~2004~~ and for each fiscal year thereafter,  
21 the Department of Education shall from time to time as needed, certify to the  
22 State Treasurer and the Chief Fiscal Officer of the State, the amount of  
23 funds disbursed or approved to be disbursed by the Department of Education  
24 for desegregation expenses under any the "Pulaski County School Desegregation  
25 Settlement Agreement." Upon the receipt of such certification, the State  
26 Treasurer, after making those deductions as set out in Arkansas Code 19-5-  
27 202(b)(2)(B), shall also deduct ~~up to, but not to exceed in total for fiscal~~  
28 ~~year 2003-04 the sum of \$32,800,000~~ from the net general revenues the amount  
29 certified and transfer this amount to the Department of Education Public  
30 School Fund Account there to be used exclusively for payment of or  
31 reimbursement for expenses incurred from the Department of Education Public  
32 School Fund Account under any "Desegregation Settlement Agreement."

33 ~~(B) For the fiscal year ending June 30, 2005, the Department of Education~~  
34 ~~shall from time to time as needed, certify to the State Treasurer and the~~  
35 ~~Chief Fiscal Officer of the State, the amount of funds disbursed for~~  
36 ~~desegregation expenses under the "Pulaski County School Desegregation~~

1 ~~Settlement Agreement." Upon the receipt of such certification, the State~~  
2 ~~Treasurer, after making those deductions as set out in Arkansas Code 19-5-~~  
3 ~~202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal~~  
4 ~~year 2004-05 the sum of \$32,800,000 from the net general revenues and~~  
5 ~~transfer this amount to the Department of Education Public School Fund~~  
6 ~~Account.~~

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

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10 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
12 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation  
13 Incentive shall be allocated in accordance with rules and regulations  
14 established by the State Board of Education.

15 The provisions of this section shall be in effect only from July 1, 2003  
16 2005 through June 30, 2005 2007.

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18 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
20 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for  
21 Residential Centers/Juvenile Detention shall be allocated in accordance with  
22 rules and regulations established by the State Board of Education.

23 The provisions of this section shall be in effect only from July 1, 2003  
24 2005 through June 30, 2005 2007.

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26 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
27 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LEADERSHIP  
28 ACADEMY. The funds appropriated in the "LEADERSHIP ACADEMY" line item in  
29 Section 1 of this Act shall be used to implement the School Support Program  
30 which will provide support to schools or school districts designated by the  
31 Department of Education as being in school improvement status and to provide  
32 for general operations of the Leadership Academy.

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

35  
36 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
2 AUTHORITY. The Director of the Department of Education, with the approval of  
3 the Chief Fiscal Officer and after approval by the Arkansas Legislative  
4 Council or Joint Budget Committee, is hereby authorized to request necessary  
5 appropriation transfers and any other budget related adjustments necessary.  
6 Determining the maximum number of employees and the maximum amount of  
7 appropriation and general revenue funding for a state agency each fiscal year  
8 is the prerogative of the General Assembly. This is usually accomplished by  
9 delineating such maximums in the appropriation act(s) for a state agency and  
10 the general revenue allocations authorized for each fund and fund account by  
11 amendment to the Revenue Stabilization law. Further, the General Assembly  
12 has determined that the Department of Education may operate more efficiently  
13 if some flexibility is provided to the Director of the Department of  
14 Education authorizing broad powers under the Transfer Authority provision  
15 herein. Therefore, it is both necessary and appropriate that the General  
16 Assembly maintain oversight by requiring prior approval of the Legislative  
17 Council or Joint Budget Committee as provided by this section. The  
18 requirement of approval by the Legislative Council or Joint Budget Committee  
19 is not a severable part of this section. If the requirement of approval by  
20 the Legislative Council or Joint Budget Committee is ruled unconstitutional  
21 by a court jurisdiction, this entire section is void.

22 The provisions of this section shall be in effect only from July 1, ~~2003~~  
23 2005 through June 30, ~~2005~~ 2007.

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25 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

27 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State  
28 shall transfer on his books and those of the State Treasurer the sum of  
29 \$200,000 during each fiscal year, of the biennium from the Department of  
30 Education Public School Fund Account to the University of Arkansas at Little  
31 Rock Fund, specifically to provide funding for the Arkansas/STRIVE Program.  
32 The total amount of funds transferred each fiscal year pursuant to this  
33 section shall not be subject to any indirect costs by the University of  
34 Arkansas at Little Rock.

35 The provisions of this section shall be in effect only from July 1, ~~2003~~  
36 2005 through June 30, ~~2005~~ 2007.

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2 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

4 ASSESSMENT/END OF LEVEL TESTING. Of the total amount appropriated for  
5 Assessment/End-of-Level Testing for each fiscal year of the ~~2003-2005~~ 2005-  
6 2007 biennium, up to \$500,000 may be authorized by the Director of the  
7 Department of Education to be used to provide staff development training for  
8 educational cooperatives, school districts, and for Department of Education  
9 staff on such content areas as test interpretation, goal setting, educational  
10 plan development, curriculum development, instructional strategies, classroom  
11 management and for evaluation procedures.

12 The provisions of this section shall be in effect only from July 1, ~~2003~~  
13 2005 through June 30, ~~2005~~ 2007.

14  
15 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN  
17 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds  
18 authorized herein to the Department of Education - for the Quiz Bowl each  
19 fiscal year, an amount not to exceed 40% each fiscal year may be made  
20 available to the Department of Education - Educational Television Division  
21 for its documented costs associated with the Quiz Bowl.

22 The provisions of this section shall be in effect only from July 1, ~~2003~~  
23 2005 through June 30, ~~2005~~ 2007.

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25 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
27 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education  
28 shall make available from the Intervention Block Grants appropriation  
29 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal  
30 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred  
31 dollars (\$13,500) each fiscal year for Odyssey of the Mind for grants up to  
32 \$1,000 each for students and chaperones, thirteen thousand five hundred  
33 dollars (\$13,500) each fiscal year for Destination Imagination, and five  
34 thousand dollars (\$5,000) each fiscal year for the State History Day  
35 Competition. The Department of Education shall allocate General Revenue  
36 funding totaling no less than one hundred thirty two thousand dollars

1 (\$132,000) each fiscal year from the Department of Education Public School  
2 Fund Account to support the annual expenses of the Quiz Bowl, the Odyssey of  
3 the Mind for grants up to \$1,000 each for students and chaperones,  
4 Destination Imagination, and the State History Day Competition. The  
5 Department shall either expend or have committed for expenditure the monies  
6 allocated for the Quiz Bowl, Odyssey of the Mind, Destination Imagination,  
7 and the State History Day Competition as authorized herein in order to  
8 fulfill the provisions of this section.

9 The provisions of this section shall be in effect only from July 1, ~~2003~~  
10 2005 through June 30, ~~2005~~ 2007.

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12 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST  
14 FUNDING PROVISION. Of the total amount appropriated for Technology Grants  
15 each fiscal year, an amount of not less than one million dollars (\$1,000,000)  
16 or eighteen percent (18%), whichever is greater each fiscal year, shall be  
17 awarded through a grant or professional services contract for EAST  
18 infrastructure personal services and operating expenses. The EAST  
19 infrastructure grant or contract for personal services and operating expenses  
20 shall be awarded to an entity that has personnel or experience, or both, in  
21 implementing the EAST Initiative.

22 The provisions of this section shall be in effect only from July 1, ~~2003~~  
23 2005 through June 30, ~~2005~~ 2007.

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25 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXPLOR-  
27 NET FUNDING PROVISION. Of the total appropriation authorized by this Act for  
28 Technology Grants the Department of Education shall make available one  
29 hundred eighty seven thousand five hundred seventy five dollars (\$187,575)  
30 each fiscal year for Explor-Net Program initiatives to teach students  
31 computer repair in a hands-on environment. The Department of Education shall  
32 allocate General Revenue funding totaling no less than one hundred eighty  
33 seven thousand five hundred seventy five dollars (\$187,575) each fiscal year  
34 from the Department of Education Public School Fund Account to support the  
35 Explor-Net Program. The Department shall either expend or have committed for  
36 expenditure the monies allocated for the Explor-Net Program in order to

1 fulfill the provisions of this section.

2 The provisions of this section shall be in effect only from July 1, 2003  
3 2005 through June 30, ~~2005~~ 2007.

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5 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
7 LEADERSHIP ACADEMY - REDUCTION OF FUNDS RESTRICTION. Upon determination by  
8 the Department of Education that a reduction in the amount of available  
9 appropriation within the Department of Education Fund Account is required  
10 from the amount appropriated, the reduction in the available appropriation  
11 from the full amount appropriated for the Arkansas Leadership Academy shall  
12 be limited to the average percentage reduction in the other appropriations to  
13 the Department of Education from the Department of Education Fund Account.

14 The provisions of this section shall be in effect only from July 1, 2003  
15 2005 through June 30, ~~2005~~ 2007.

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17 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
18 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISTRESSED  
19 SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item "Distressed  
20 School District Support" in Section 1 of the Act may be used for technical  
21 assistance offered by the Department of Education to school districts in  
22 academic distress that can include, but is not limited to, teacher  
23 specialists, principal specialists, and other personnel assigned by the  
24 department. These funds may also be used for alternative research-based  
25 technical assistance or programs. Criteria for selecting and approving  
26 alternative research-based technical assistance or programs are to be  
27 promulgated as a rule by the State Board of Education, provided that  
28 alternative staffing and/or compensation programs for teachers shall be  
29 approved by at least a majority of the teachers in the school, schools, or  
30 school district participating in the program.

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

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34 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
35 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER CHANCE  
36 PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby

1 authorized to expend a maximum of two percent (2%) of available funds to  
2 administer the program and to monitor program grantees to ensure compliance  
3 with programmatic standards.

4 The Department may contract with the Division of Child Care and Early  
5 Childhood Education to administer the program.

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

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9 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CHARTER  
11 SCHOOL FUNDING RESTRICTIONS. Regardless of any provision of any law to the  
12 contrary, the Department of Education shall fund from state monies only those  
13 charter schools which provide education services in a traditional public  
14 school setting and, if the internet or long-distance learning technology is  
15 used, the internet or long-distance learning technology is used as a  
16 supplement to the school's traditional classroom setting.

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

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30 SECTION 25. LEGISLATIVE INTENT. It is the intent of the General Assembly  
31 that any funds disbursed under the authority of the appropriations contained  
32 in this act shall be in compliance with the stated reasons for which this act  
33 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
34 and Legislative Recommendations contained in the budget manuals prepared by  
35 the Department of Finance and Administration, letters, or summarized oral  
36 testimony in the official minutes of the Arkansas Legislative Council or

1 Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 26. EMERGENCY CLAUSE. It is found and determined by the General  
4 Assembly, that the Constitution of the State of Arkansas prohibits the  
5 appropriation of funds for more than a two (2) year period; that the  
6 effectiveness of this Act on July 1, 2005 is essential to the operation of  
7 the agency for which the appropriations in this Act are provided, and that in  
8 the event of an extension of the Regular Session, the delay in the effective  
9 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
10 proper administration and provision of essential governmental programs.  
11 Therefore, an emergency is hereby declared to exist and this Act being  
12 necessary for the immediate preservation of the public peace, health and  
13 safety shall be in full force and effect from and after July 1, 2005.

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15 */s/ Joint Budget Committee*  
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