

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 *As Engrossed: S3/21/05 S3/28/05 S4/5/05 S4/6/05*

2 85th General Assembly

A Bill

3 Regular Session, 2005

SENATE BILL 503

4

5 By: Joint Budget Committee

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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.

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Subtitle

17 AN ACT FOR THE DEPARTMENT OF EDUCATION -
18 GRANTS AND AIDS TO LOCAL SCHOOL
19 DISTRICTS APPROPRIATION FOR THE 2005-
20 2007 BIENNIUM.

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

24

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

FISCAL YEARS

32	NO.		2005-2006	2006-2007
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	675,000	675,000
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	4,547,675	4,547,675
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>\$2,222,921,175</u>	<u>\$2,222,921,175</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>

7
8 *SECTION 6. APPROPRIATIONS – SPECIAL NEEDS ISOLATED FUNDING. There is*
9 *hereby appropriated, to the Department of Education, to be payable from the*
10 *General Improvement Fund or its successor fund or fund accounts, the*
11 *following:*

12 (A) *For special needs isolated funding, for each fiscal year of the*
13 *biennium, the sum of.....\$4,850,000.*

14
15 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
17 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
18 Districts appropriation in Section 1 of this Act, "school district" means a
19 school district which contracts with a school district in an adjoining state
20 for the education of some of the pupils within the Arkansas school district
21 because the portion of the school district wherein such pupils live is
22 completely separated from the remainder of the school district by a reservoir
23 covering at least 12,000 acres at normal water level, and where to attend
24 school in their own district, the pupils of said portion would be required to
25 travel or to be transported a distance (measured by the nearest highway or
26 road route) of more than 35 miles round trip and pass through another school
27 district or districts. The Department of Education shall distribute the
28 monies appropriated for Grants to School Districts in Section 1 of this Act
29 to such school districts as reimbursement for expenses incurred in educating
30 the pupils residing in the separated portion of the school district. Such
31 school districts shall file a request for reimbursement with the Department
32 of Education and provide the Department of Education with such documentation
33 as is deemed necessary.

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

36

1 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
3 EDUCATION SERVICES. The funds appropriated in the line item "Special
4 Education Services" in Section 1 of this Act shall be used to provide
5 extended year summer programs for handicapped students in need of such
6 services, to provide special education services to foster children who are
7 wards of the State, and to provide funds for the payment of salaries of
8 special education supervisors. The Department of Education shall distribute
9 such funds in the manner necessary to carry out the intent of this Section.

10 The provisions of this section shall be in effect only from July 1, ~~2003~~
11 2005 through June 30, ~~2005~~ 2007.

12
13 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
15 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
16 Districts shall pay the teacher retirement employer contribution rate for any
17 eligible employee in accordance with rules and regulations established by the
18 Teacher Retirement Board of Directors. The appropriation contained herein for
19 Teacher Retirement Matching each fiscal year shall be used to provide the
20 employer matching for employees of the ~~Cooperative Education Services Areas,~~
21 ~~Vocational Centers,~~ Arkansas Easter Seals ~~and the school operated by the~~
22 ~~Department of Correction.~~

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

25
26 SECTION 10. SPECIAL LANGUAGE. ~~PULASKI COUNTY~~ DESEGREGATION EXPENSES. (A)
27 For the fiscal year ending June 30, ~~2004~~ and for each fiscal year thereafter,
28 the Department of Education shall from time to time as needed, certify to the
29 State Treasurer and the Chief Fiscal Officer of the State, the amount of
30 funds disbursed or approved to be disbursed by the Department of Education
31 for desegregation expenses under any the ~~"Pulaski County School Desegregation~~
32 ~~Settlement Agreement."~~ Upon the receipt of such certification, the State
33 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
34 202(b)(2)(B), shall also deduct ~~up to, but not to exceed in total for fiscal~~
35 ~~year 2003-04 the sum of \$32,800,000~~ from the net general revenues the amount
36 certified and transfer this amount to the Department of Education Public

1 School Fund Account there to be used exclusively for payment of or
2 reimbursement for expenses incurred from the Department of Education Public
3 School Fund Account under any "Desegregation Settlement Agreement."

4 ~~(B) For the fiscal year ending June 30, 2005, the Department of Education~~
5 ~~shall from time to time as needed, certify to the State Treasurer and the~~
6 ~~Chief Fiscal Officer of the State, the amount of funds disbursed for~~
7 ~~desegregation expenses under the "Pulaski County School Desegregation~~
8 ~~Settlement Agreement." Upon the receipt of such certification, the State~~
9 ~~Treasurer, after making those deductions as set out in Arkansas Code 19-5-~~
10 ~~202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal~~
11 ~~year 2004-05 the sum of \$32,800,000 from the net general revenues and~~
12 ~~transfer this amount to the Department of Education Public School Fund~~
13 ~~Account.~~

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

16
17 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
20 Incentive shall be allocated in accordance with rules and regulations
21 established by the State Board of Education.

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

24
25 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
27 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
28 Residential Centers/Juvenile Detention shall be allocated in accordance with
29 rules and regulations established by the State Board of Education.

30 The provisions of this section shall be in effect only from July 1, 2003
31 2005 through June 30, ~~2005~~ 2007.

32
33 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
34 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LEADERSHIP
35 ACADEMY. The funds appropriated in the "LEADERSHIP ACADEMY" line item in
36 Section 1 of this Act shall be used to implement the School Support Program

1 which will provide support to schools or school districts designated by the
2 Department of Education as being in school improvement status and to provide
3 for general operations of the Leadership Academy.

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

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

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

31
32 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
35 shall transfer on his books and those of the State Treasurer the sum of
36 \$200,000 during each fiscal year, of the biennium from the Department of

1 Education Public School Fund Account to the University of Arkansas at Little
2 Rock Fund, specifically to provide funding for the Arkansas/STRIVE Program.
3 The total amount of funds transferred each fiscal year pursuant to this
4 section shall not be subject to any indirect costs by the University of
5 Arkansas at Little Rock.

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

11 ASSESSMENT/END OF LEVEL TESTING. Of the total amount appropriated for
12 Assessment/End-of-Level Testing for each fiscal year of the ~~2003-2005~~ 2005-
13 2007 biennium, up to \$500,000 may be authorized by the Director of the
14 Department of Education to be used to provide staff development training for
15 educational cooperatives, school districts, and for Department of Education
16 staff on such content areas as test interpretation, goal setting, educational
17 plan development, curriculum development, instructional strategies, classroom
18 management and for evaluation procedures.

19 The provisions of this section shall be in effect only from July 1, ~~2003~~
20 2005 through June 30, ~~2005~~ 2007.

21

22 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN

24 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
25 authorized herein to the Department of Education - for the Quiz Bowl each
26 fiscal year, an amount not to exceed 40% each fiscal year may be made
27 available to the Department of Education - Educational Television Division
28 for its documented costs associated with the Quiz Bowl.

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

31

32 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
35 shall make available from the Intervention Block Grants appropriation
36 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal

1 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
2 dollars (\$13,500) each fiscal year for Odyssey of the Mind for grants up to
3 \$1,000 each for students and chaperones, thirteen thousand five hundred
4 dollars (\$13,500) each fiscal year for Destination Imagination, and five
5 thousand dollars (\$5,000) each fiscal year for the State History Day
6 Competition. The Department of Education shall allocate General Revenue
7 funding totaling no less than one hundred thirty two thousand dollars
8 (\$132,000) each fiscal year from the Department of Education Public School
9 Fund Account to support the annual expenses of the Quiz Bowl, the Odyssey of
10 the Mind for grants up to \$1,000 each for students and chaperones,
11 Destination Imagination, and the State History Day Competition. The
12 Department shall either expend or have committed for expenditure the monies
13 allocated for the Quiz Bowl, Odyssey of the Mind, Destination Imagination,
14 and the State History Day Competition as authorized herein in order to
15 fulfill the provisions of this section.

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

18

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

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

31

32 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXPLOR-
34 NET FUNDING PROVISION. Of the total appropriation authorized by this Act for
35 Technology Grants the Department of Education shall make available one
36 hundred eighty seven thousand five hundred seventy five dollars (\$187,575)

1 each fiscal year for Explor-Net Program initiatives to teach students
2 computer repair in a hands-on environment. The Department of Education shall
3 allocate General Revenue funding totaling no less than one hundred eighty
4 seven thousand five hundred seventy five dollars (\$187,575) each fiscal year
5 from the Department of Education Public School Fund Account to support the
6 Explor-Net Program. The Department shall either expend or have committed for
7 expenditure the monies allocated for the Explor-Net Program 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.

11
12 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
14 LEADERSHIP ACADEMY - REDUCTION OF FUNDS RESTRICTION. Upon determination by
15 the Department of Education that a reduction in the amount of available
16 appropriation within the Department of Education Fund Account is required
17 from the amount appropriated, the reduction in the available appropriation
18 from the full amount appropriated for the Arkansas Leadership Academy shall
19 be limited to the average percentage reduction in the other appropriations to
20 the Department of Education from the Department of Education Fund Account.

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

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

1 school district participating in the program.

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

4
5 SECTION 23. SPECIAL LANGUAGE. Arkansas Code § 6-15-202, concerning
6 Standards for Accreditation of Arkansas Public Schools, is amended to add
7 additional subsections to read as follows:

8 (e) The Director of the Department of Education may require that the
9 superintendent of each school district file a written statement with the
10 Department of Education as evidence that the school district for which the
11 superintendent is responsible has complied with any or all of the following
12 statutory requirements:

13 (1) § 6-10-111 (d) through (f) concerning the Equity Assistance
14 Center;

15 (2) § 6-11-129(3)(b) concerning data to be accessible on Department of
16 Education's website;

17 (3) § 6-13-109 concerning employment of a school superintendent;

18 (4) § 6-13-620 concerning powers and duties of the local school board
19 of directors;

20 (5) § 6-13-801 et seq. concerning educational compacts;

21 (6) § 6-15-202(b)(1) concerning accreditation;

22 (7) § 6-15-401 et seq. concerning the Arkansas Comprehensive, Testing,
23 Assessment, and Accountability Program;

24 (8) § 6-15-502 concerning home schools;

25 (9) § 6-15-902 concerning grading scale;

26 (10) § 6-15-1004 concerning qualified teachers;

27 (11) § 6-15-1101(b) concerning diplomas;

28 (12) § 6-15-1402 concerning the school performance report;

29 (13) § 6-15-1603 concerning closing the achievement gap;

30 (14) § 6-15-1701 et seq. concerning a parental involvement plan;

31 (15) § 6-15-2006 concerning remedial instruction;

32 (16) § 6-16-102 concerning school day;

33 (17) § 6-16-103 concerning course of study generally;

34 (18) § 6-16-124 concerning Arkansas history;

35 (19) § 6-16-126 concerning food handling safety;

36 (20) § 6-16-130 concerning visual art and music;

- 1 (21) § 6-16-132 concerning physical education;
2 (22) § 6-16-1002 concerning health education;
3 (23) § 6-16-1003 concerning oral health standards;
4 (24) § 6-16-1201 et seq. concerning advanced placement and concurrent
5 enrollment;
6 (25) § 6-17-102 concerning emergency first aid personnel;
7 (26) § 6-17-201 concerning personnel policies;
8 (27) § 6-17-309 concerning certification;
9 (28) § 6-17-401 et seq. concerning teacher's license requirement;
10 (29) § 6-17-2301 concerning establishment of personnel policies;
11 (30) § 6-17-2402 concerning teacher compensation;
12 (31) § 6-18-101 concerning qualifications for valedictorian and
13 salutatorian;
14 (32) § 6-18-201 et seq. concerning compulsory attendance;
15 (33) § 6-18-202 concerning age and residence for attending public
16 schools;
17 (34) § 6-18-207 concerning minimum age for enrollment in public
18 school;
19 (35) § 6-18-211 concerning attendance for students in grades nine
20 through twelve;
21 (36) § 6-18-213 concerning attendance records and reports generally;
22 (37) § 6-18-223 concerning credit for college courses;
23 (38) § 6-18-501 et seq. concerning guidelines for development of
24 school district student discipline policies and written student discipline
25 policies;
26 (39) § 6-18-508 concerning alternative learning environments;
27 (40) § 6-18-509 concerning assessment and intervention in alternative
28 learning environments;
29 (41) § 6-18-701 et seq. concerning physical examinations;
30 (42) § 6-18-1005 concerning a student services program;
31 (43) § 6-19-101 concerning transportation;
32 (44) § 6-20-2202 concerning the budget and expenditure report;
33 (45) § 6-21-106 concerning fire hazards inspection prior to closing
34 for breaks;
35 (46) § 6-21-112 concerning school facilities;
36 (47) § 6-25-101 et seq. concerning the public school library media and

1 technology;

2 (48) § 6-41-101 et seq. concerning services to children with
3 disabilities in nonpublic schools;

4 (49) § 6-42-101 concerning gifted and talented; and

5 (50) Any other statutory mandate for school districts identified by
6 the Department of Education as relevant to the Standards for Accreditation of
7 Arkansas Public Schools.

8 (f) In addition to any written statement of assurance required under
9 subsection (e) of this section, the Department of Education may conduct an
10 on-site review of a school district to confirm that a school district has
11 complied with any statutory requirements listed in subsection (e) of this
12 section or any other matter related to the Standards for Accreditation of
13 Arkansas Public Schools.

14 (g) The Department of Education shall establish a form for the written
15 statement of assurance required under subsection (e) of this section and
16 shall establish a date or dates by which school districts shall submit the
17 written statement of assurance required under subsection (e) of this section.

18 (h) Any superintendent who fails to file a written statement of assurance
19 as required by the Director of the Department of Education under subsection
20 (e) of this section by the date established by the Department of Education or
21 knowingly submits false information or if the Department of Education
22 determines the information in the statement is inaccurate or incomplete, the
23 Department of Education may:

24 (1) Conduct a random on-site visit;

25 (2) Request additional information from the school district;

26 (3) Take licensure action on the license of the superintendent under
27 the procedure of § 6-17-410; or

28 (4) Find the school or school district in citation or probationary
29 violation of the Standards for Accreditation of Arkansas Public Schools.

30
31 SECTION 24. SPECIAL LANGUAGE. Arkansas Code 6-16-804 is amended to read as
32 follows:

33 6-16-804. Established - Subsidies - Rules and regulations.

34 (a) The Arkansas Advanced Placement Incentive Program is hereby
35 established, to be administered by the Director of the Department of
36 Education.

1 (b)(1) Contingent upon legislative appropriations and based on criteria
2 established by the department, schools participating in the program may be
3 awarded a one-time equipment and instructional materials grant for providing
4 an advanced placement course.;

5 (2) Contingent upon legislative appropriations, schools ~~will be~~ may be
6 awarded ~~fifty dollars (\$50.00)~~ an amount to be determined by the Department
7 of Education for each score of three (3) or better earned by a student on any
8 advanced placement test. These funds shall be utilized in the schools'
9 advanced placement programs.

10 (c) Subject to legislative appropriations, a teacher participating in the
11 program or in the preadvanced placement program may be awarded subsidized
12 teacher training for advanced placement courses ~~at a cost not to exceed six~~
13 ~~hundred fifty dollars (\$650) per teacher.~~

14 (d)(1) The state ~~will~~ may pay a share of the advanced placement test fee
15 ~~not to exceed sixty five dollars (\$65.00).~~

16 (2) The State Board of Education ~~shall~~ may create a sliding scale
17 based on family income.

18 ~~(3) The state will pay fifty dollars (\$50.00) for each test taken as~~
19 ~~an economic supplement to each public school student who takes more than two~~
20 ~~(2) advanced placement tests in one (1) year.~~

21 ~~(4)(3)~~ All students taking advanced placement courses must take
22 advanced placement tests or return the economic supplement.

23 (e) The board is authorized to promulgate rules and regulations necessary
24 to implement this subchapter and the Director of the Department of Education
25 may determine the amount of any awards or supplements made under this
26 subchapter based on the amount of the appropriation and available funding for
27 the program.

28
29 SECTION 25. SPECIAL LANGUAGE. Arkansas Code § 6-15-204(b)(2), concerning
30 professional development for teachers, is amended to add an additional
31 subdivision to read as follows:

32 (C) For purposes of the requirement for continuing education and
33 professional development under this section, each hour of training received
34 by certified personnel related to teaching an advanced placement class for a
35 subject covered by the College Board and Educational Testing Service shall be
36 counted as professional development up to a maximum of thirty (30) hours.

1
2 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

4 PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional
5 Development Funding for each fiscal year of the 2005-2007 biennium,
6 \$4,000,000 shall be authorized by the Director of the Department of Education
7 to be used by the Department of Education to develop and implement statewide
8 professional development support systems for teacher that will benefit
9 student achievement.

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

12
13 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
14 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RETIREMENT
15 MATCHING. Beginning with the 1996-97 school year, Local School Districts
16 shall pay the teacher retirement employer contribution rate for any eligible
17 employee in accordance with rules and regulations established by the Teacher
18 Retirement Board of Directors. The appropriation contained herein for Teacher
19 Retirement Matching each fiscal year shall be used to provide the employer
20 matching for employees of the Cooperative Education Services Areas,
21 Vocational Centers, Arkansas Easter Seals and the school operated by the
22 Department of Correction.

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

25
26 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
27 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
28 INSURANCE. Beginning with the 1996-97 school year, Local School Districts
29 shall pay no less than the health insurance contribution rate established by
30 Arkansas Code 6-17-1117 for each eligible employee electing to participate in
31 the Public School Employee Health Insurance Program. The appropriation
32 contained herein for Public School Employee Insurance each fiscal year shall
33 be used to provide the state contribution for insurance premiums for
34 employees of the Cooperative Education Services Areas, Vocational Centers,
35 and the school operated by the Department of Correction who participate in
36 the Arkansas Public School Life and Health Insurance Program.

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

3
4 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
5 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER CHANCE
6 PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
7 authorized to expend a maximum of two percent (2%) of available funds to
8 administer the program and to monitor program grantees to ensure compliance
9 with programmatic standards.

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

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

14
15 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CHARTER
17 SCHOOL FUNDING RESTRICTIONS. Regardless of any provision of any law to the
18 contrary, the Department of Education shall fund from state monies only those
19 charter schools which provide education services in a traditional public
20 school setting and, if the internet or long-distance learning technology is
21 used, the internet or long-distance learning technology is used as a
22 supplement to the school's traditional classroom setting.

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

25
26 SECTION 31. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
27 by this act shall be limited to the appropriation for such agency and funds
28 made available by law for the support of such appropriations; and the
29 restrictions of the State Procurement Law, the General Accounting and
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
31 Procedures and Restrictions Act, or their successors, and other fiscal
32 control laws of this State, where applicable, and regulations promulgated by
33 the Department of Finance and Administration, as authorized by law, shall be
34 strictly complied with in disbursement of said funds.

35
36 SECTION 32. LEGISLATIVE INTENT. It is the intent of the General Assembly

1 that any funds disbursed under the authority of the appropriations contained
2 in this act shall be in compliance with the stated reasons for which this act
3 was adopted, as evidenced by the Agency Requests, Executive Recommendations
4 and Legislative Recommendations contained in the budget manuals prepared by
5 the Department of Finance and Administration, letters, or summarized oral
6 testimony in the official minutes of the Arkansas Legislative Council or
7 Joint Budget Committee which relate to its passage and adoption.

8
9 SECTION 33. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that the Constitution of the State of Arkansas prohibits the
11 appropriation of funds for more than a two (2) year period; that the
12 effectiveness of this Act on July 1, 2005 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the Regular Session, the delay in the effective
15 date of this Act beyond July 1, 2005 could work irreparable harm upon the
16 proper administration and provision of essential governmental programs.
17 Therefore, an emergency is hereby declared to exist and this Act being
18 necessary for the immediate preservation of the public peace, health and
19 safety shall be in full force and effect from and after July 1, 2005.

20
21 */s/ Joint Budget Committee*
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