

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.

State of Arkansas As Engrossed: S3/21/05 S3/28/05 S4/5/05 S4/6/05 S4/8/05

85th General Assembly

# A Bill

Regular Session, 2005

SENATE BILL 503

By: Joint Budget Committee

## For An Act To Be Entitled

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

## Subtitle

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

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

*SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for grants and aids to local school districts and special programs of the Department of Education for the biennial period ending June 30, 2007, the following:*

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) BETTER CHANCE PROGRAM	\$ 71,166,500	\$ 71,166,500
(02) ACADEMIC IMPROVEMENT TRAINING	500,000	500,000
(03) ADVANCED PLACEMENT INCENTIVE	675,000	675,000
(04) ALTERNATIVE LEARNING	31,525,000	35,307,030



1	(05)	ARKANSAS EASTER SEALS	193,113	193,113
2	(06)	ASSESSMENT/END OF LEVEL TESTING	21,835,250	23,887,747
3	(07)	AT RISK	1,490,500	1,490,500
4	(08)	CONSOLIDATION INCENTIVE	1,906,416	5,757,300
5	(09)	CONTENT STANDARDS	161,000	161,000
6	(10)	COOP EDUCATION TECH CENTERS	750,000	750,000
7	(11)	DISTANCE LEARNING OPERATIONS	5,831,400	5,831,400
8	(12)	COURT ORDERED DESEGREGATION	58,660,966	60,388,078
9	(13)	CRIMINAL BACKGROUND CHECKS	125,000	125,000
10	(14)	DEBT SERVICE FUNDING	42,464,629	42,464,629
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	450,000	450,000
14	(18)	EARLY CHILDHOOD SPECIAL EDUCATION	8,700,000	10,000,000
15	(19)	EDUCATION SERVICE COOPERATIVES	4,929,270	4,929,270
16	(20)	ENGLISH LANGUAGE LEARNERS	4,851,795	5,257,795
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	150,000	150,000
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)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000	500,000
25	(29)	NATIONAL BOARD OF PROF TEACHING		
26		STANDARDS	2,180,000	2,680,500
27	(30)	NATIONAL SCHOOL LUNCH	136,473,000	144,661,380
28	(31)	PROFESSIONAL DEVELOPMENT FUNDING	22,595,471	22,735,471
29	(32)	PUBLIC SCHOOL EMPLOYEE INSURANCE	36,793,760	36,878,600
30	(33)	GRANTS TO SCHOOL DISTRICTS	50,000	50,000
31	(34)	PYGMALION COMMISSION	40,000	40,000
32	(35)	RESIDENTIAL CENTERS/JUVENILE		
33		DETENTION	11,384,482	11,384,482
34	(36)	SAFETY TRAINING	765,000	765,000
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	1,000,600	1,050,946
3	(41)	SMART START/SMART STEP	7,181,815	7,181,815
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	1,725,118,800	1,757,350,234
8	(46)	STUDENT GROWTH	43,610,400	43,610,400
9	(47)	SUPPLEMENTAL MILLAGE	10,000,000	10,000,000
10	(48)	SURPLUS COMMODITIES	630,000	630,000
11	(49)	TEACHER LICENSING/MENTORING	7,150,258	7,508,758
12	(50)	TEACHER RECRUITMENT	2,100,000	2,100,000
13	(51)	TEACHER RETIREMENT MATCHING	4,594,800	5,122,080
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	600,000	600,000
21	(59)	MASTER PRINCIPAL BONUS	0	200,000
22	(60)	SECONDARY AREA VOCATIONAL CENTERS	8,771,500	10,154,136
23	(61)	CONTENTS STANDARDS CURRICULUM		
24		FRAMEWORKS	100,000	0
25	(62)	SCHOOL FUNDING CONTINGENCY	<u>25,000,000</u>	<u>25,000,000</u>
26		TOTAL AMOUNT APPROPRIATED	<u>\$2,348,057,171</u>	<u>\$2,404,739,610</u>

27

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

1 by the provisions of the Regular Salaries Procedures and Restrictions Act  
 2 (Arkansas Code §21-5-101), or its successor.

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

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

ITEM	FISCAL YEARS	
	2005-2006	2006-2007
31 NO.		
32 (01) REGULAR SALARIES	\$ 1,875,472	\$ 1,930,963
33 (02) PERSONAL SERVICES MATCHING	579,966	592,012
34 (03) MAINT. & GEN. OPERATION		
35 (A) OPER. EXPENSE	1,335,495	1,366,995

1	(B) CONF. & TRAVEL	7,250	7,250
2	(C) PROF. FEES	0	0
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	10,136,424	10,136,424
5	(04) DATA ACCESS IMPLEMENTATION	<u>800,000</u>	<u>800,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 14,764,607</u>	<u>\$ 14,863,644</u>

7

8 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There is

9 hereby established for the Department of Education- - Office of Education

10 Renewal Zones for the 2005-2007 biennium, the following maximum number of

11 regular employees whose salaries shall be governed by the provisions of the

12 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et

13 seq.), or its successor, and all laws amendatory thereto. Provided, however,

14 that any position to which a specific maximum annual salary is set out herein

15 in dollars, shall be exempt from the provisions of said Uniform

16 Classification and Compensation Act. All persons occupying positions

17 authorized herein are hereby governed by the provisions of the Regular

18 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its

19 successor.

20					21	Maximum Annual
22					Maximum	Salary Rate
23	Item	Class			No. of	Fiscal Years
24	No.	Code	Title	Employees	2005-2006	2006-2007
25	(1)	917Z	OERZ DIRECTOR	1		GRADE 26
26	(2)	R085	TECHNICAL ASSISTANCE SPECIALIST	3		GRADE 21
27	(3)	R009	ADMINISTRATIVE ASSISTANT I	<u>1</u>		GRADE 15
28			MAX. NO. OF EMPLOYEES	5		

29

30 SECTION 5. APPROPRIATION - EDUCATION RENEWAL ZONES. There is hereby

31 appropriated, to the Department of Education, to be payable from the

32 Department of Education Public School Fund Account, for personal services and

33 operating expenses of the Department of Education - Education Renewal Zones

34 for the biennial period ending June 30, 2007, the following:

35

36 ITEM FISCAL YEARS

1	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
2	(01) REGULAR SALARIES	\$ 229,529	\$ 236,161
3	(02) PERSONAL SERVICES MATCHING	69,031	70,471
4	(03) MAINT. & GEN. OPERATION		
5	(A) OPER. EXPENSE	29,700	29,700
6	(B) CONF. & TRAVEL	8,000	8,000
7	(C) PROF. FEES	1,440,000	1,440,000
8	(D) CAP. OUTLAY	0	0
9	(E) DATA PROC.	0	0
10	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>234,000</u>	<u>234,000</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,010,260</u>	<u>\$ 2,018,332</u>

12

13       *SECTION 6. APPROPRIATIONS – SPECIAL NEEDS ISOLATED FUNDING. There is*  
 14 *hereby appropriated, to the Department of Education, to be payable from the*  
 15 *General Improvement Fund or its successor fund or fund accounts, the*  
 16 *following:*

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

19

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

1 of Education and provide the Department of Education with such documentation  
2 as is deemed necessary.

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

5

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

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

17

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

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

30

31 SECTION 10. SPECIAL LANGUAGE. ~~PULASKI COUNTY~~ DESEGREGATION EXPENSES. (A)  
32 For the fiscal year ending June 30, ~~2004~~ and for each fiscal year thereafter,  
33 the Department of Education shall from time to time as needed, certify to the  
34 State Treasurer and the Chief Fiscal Officer of the State, the amount of  
35 funds disbursed or approved to be disbursed by the Department of Education  
36 for desegregation expenses under any ~~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 2003-04 the sum of \$32,800,000~~ from the net general revenues the amount  
5 certified and transfer this amount to the Department of Education Public  
6 School Fund Account there to be used exclusively for payment of or  
7 reimbursement for expenses incurred from the Department of Education Public  
8 School Fund Account under any "Desegregation Settlement Agreement."

9 ~~(B) For the fiscal year ending June 30, 2005, the Department of Education~~  
10 ~~shall from time to time as needed, certify to the State Treasurer and the~~  
11 ~~Chief Fiscal Officer of the State, the amount of funds disbursed for~~  
12 ~~desegregation expenses under the "Pulaski County School Desegregation~~  
13 ~~Settlement Agreement." Upon the receipt of such certification, the State~~  
14 ~~Treasurer, after making those deductions as set out in Arkansas Code 19-5-~~  
15 ~~202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal~~  
16 ~~year 2004-05 the sum of \$32,800,000 from the net general revenues and~~  
17 ~~transfer this amount to the Department of Education Public School Fund~~  
18 ~~Account.~~

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

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

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

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

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



1  
2 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
3 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LEADERSHIP  
4 ACADEMY. The funds appropriated in the "LEADERSHIP ACADEMY" line item in  
5 Section 1 of this Act shall be used to implement the School Support Program  
6 which will provide support to schools or school districts designated by the  
7 Department of Education as being in school improvement status and to provide  
8 for general operations of the Leadership Academy.

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

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

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 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
3 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State  
4 shall transfer on his books and those of the State Treasurer the sum of  
5 \$200,000 during each fiscal year, of the biennium from the Department of  
6 Education Public School Fund Account to the University of Arkansas at Little  
7 Rock Fund, specifically to provide funding for the Arkansas/STRIVE Program.  
8 The total amount of funds transferred each fiscal year pursuant to this  
9 section shall not be subject to any indirect costs by the University of  
10 Arkansas at Little Rock.

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

13  
14 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
16 ASSESSMENT/END OF LEVEL TESTING. Of the total amount appropriated for  
17 Assessment/End-of-Level Testing for each fiscal year of the ~~2003-2005~~ 2005-  
18 2007 biennium, up to \$500,000 may be authorized by the Director of the  
19 Department of Education to be used to provide staff development training for  
20 educational cooperatives, school districts, and for Department of Education  
21 staff on such content areas as test interpretation, goal setting, educational  
22 plan development, curriculum development, instructional strategies, classroom  
23 management and for evaluation procedures.

24 The provisions of this section shall be in effect only from July 1, ~~2003~~  
25 2005 through June 30, ~~2005~~ 2007.

26  
27 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN  
29 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds  
30 authorized herein to the Department of Education - for the Quiz Bowl each  
31 fiscal year, an amount not to exceed 40% each fiscal year may be made  
32 available to the Department of Education - Educational Television Division  
33 for its documented costs associated with the Quiz Bowl.

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 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
3 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education  
4 shall make available from the Intervention Block Grants appropriation  
5 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal  
6 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred  
7 dollars (\$13,500) each fiscal year for Odyssey of the Mind for grants up to  
8 \$1,000 each for students and chaperones, thirteen thousand five hundred  
9 dollars (\$13,500) each fiscal year for Destination Imagination, and five  
10 thousand dollars (\$5,000) each fiscal year for the State History Day  
11 Competition. The Department of Education shall allocate General Revenue  
12 funding totaling no less than one hundred thirty two thousand dollars  
13 (\$132,000) each fiscal year from the Department of Education Public School  
14 Fund Account to support the annual expenses of the Quiz Bowl, the Odyssey of  
15 the Mind for grants up to \$1,000 each for students and chaperones,  
16 Destination Imagination, and the State History Day Competition. The  
17 Department shall either expend or have committed for expenditure the monies  
18 allocated for the Quiz Bowl, Odyssey of the Mind, Destination Imagination,  
19 and the State History Day Competition as authorized herein in order to  
20 fulfill the provisions of this section.

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

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 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXPLOR-  
3 NET FUNDING PROVISION. Of the total appropriation authorized by this Act for  
4 Technology Grants the Department of Education shall make available one  
5 hundred eighty seven thousand five hundred seventy five dollars (\$187,575)  
6 each fiscal year for Explor-Net Program initiatives to teach students  
7 computer repair in a hands-on environment. The Department of Education shall  
8 allocate General Revenue funding totaling no less than one hundred eighty  
9 seven thousand five hundred seventy five dollars (\$187,575) each fiscal year  
10 from the Department of Education Public School Fund Account to support the  
11 Explor-Net Program. The Department shall either expend or have committed for  
12 expenditure the monies allocated for the Explor-Net Program in order to  
13 fulfill the provisions of this section.

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

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

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

28  
29 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
30 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISTRESSED  
31 SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item "Distressed  
32 School District Support" in Section 1 of the Act may be used for technical  
33 assistance offered by the Department of Education to school districts in  
34 academic distress that can include, but is not limited to, teacher  
35 specialists, principal specialists, and other personnel assigned by the  
36 department. These funds may also be used for alternative research-based

1 technical assistance or programs. Criteria for selecting and approving  
2 alternative research-based technical assistance or programs are to be  
3 promulgated as a rule by the State Board of Education, provided that  
4 alternative staffing and/or compensation programs for teachers shall be  
5 approved by at least a majority of the teachers in the school, schools, or  
6 school district participating in the program.

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

9  
10 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
11 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD.  
12 The balance of the appropriation as provided in the Contents Standards  
13 Curriculum Frameworks line item of Section 1 of this Act which remains on  
14 June 30, 2006, shall be carried forward and made available for the same  
15 purpose for the fiscal year ending June 30, 2007.

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

18  
19 SECTION 24. SPECIAL LANGUAGE. Arkansas Code § 6-15-202, concerning  
20 Standards for Accreditation of Arkansas Public Schools, is amended to add  
21 additional subsections to read as follows:

22 (e) The Director of the Department of Education may require that the  
23 superintendent of each school district file a written statement with the  
24 Department of Education as evidence that the school district for which the  
25 superintendent is responsible has complied with any or all of the following  
26 statutory requirements:

27 (1) § 6-10-111 (d) through (f) concerning the Equity Assistance  
28 Center;

29 (2) § 6-11-129(3)(b) concerning data to be accessible on Department of  
30 Education's website;

31 (3) § 6-13-109 concerning employment of a school superintendent;

32 (4) § 6-13-620 concerning powers and duties of the local school board  
33 of directors;

34 (5) § 6-13-801 et seq. concerning educational compacts;

35 (6) § 6-15-202(b)(1) concerning accreditation;

36 (7) § 6-15-401 et seq. concerning the Arkansas Comprehensive, Testing,

1 Assessment, and Accountability Program;

2 (8) § 6-15-502 concerning home schools;

3 (9) § 6-15-902 concerning grading scale;

4 (10) § 6-15-1004 concerning qualified teachers;

5 (11) § 6-15-1101(b) concerning diplomas;

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

7 (13) § 6-15-1603 concerning closing the achievement gap;

8 (14) § 6-15-1701 et seq. concerning a parental involvement plan;

9 (15) § 6-15-2006 concerning remedial instruction;

10 (16) § 6-16-102 concerning school day;

11 (17) § 6-16-103 concerning course of study generally;

12 (18) § 6-16-124 concerning Arkansas history;

13 (19) § 6-16-126 concerning food handling safety;

14 (20) § 6-16-130 concerning visual art and music;

15 (21) § 6-16-132 concerning physical education;

16 (22) § 6-16-1002 concerning health education;

17 (23) § 6-16-1003 concerning oral health standards;

18 (24) § 6-16-1201 et seq. concerning advanced placement and concurrent  
19 enrollment;

20 (25) § 6-17-102 concerning emergency first aid personnel;

21 (26) § 6-17-201 concerning personnel policies;

22 (27) § 6-17-309 concerning certification;

23 (28) § 6-17-401 et seq. concerning teacher's license requirement;

24 (29) § 6-17-2301 concerning establishment of personnel policies;

25 (30) § 6-17-2402 concerning teacher compensation;

26 (31) § 6-18-101 concerning qualifications for valedictorian and  
27 salutatorian;

28 (32) § 6-18-201 et seq. concerning compulsory attendance;

29 (33) § 6-18-202 concerning age and residence for attending public  
30 schools;

31 (34) § 6-18-207 concerning minimum age for enrollment in public  
32 school;

33 (35) § 6-18-211 concerning attendance for students in grades nine  
34 through twelve;

35 (36) § 6-18-213 concerning attendance records and reports generally;

36 (37) § 6-18-223 concerning credit for college courses;

1 (38) § 6-18-501 et seq. concerning guidelines for development of  
2 school district student discipline policies and written student discipline  
3 policies;

4 (39) § 6-18-508 concerning alternative learning environments;

5 (40) § 6-18-509 concerning assessment and intervention in alternative  
6 learning environments;

7 (41) § 6-18-701 et seq. concerning physical examinations;

8 (42) § 6-18-1005 concerning a student services program;

9 (43) § 6-19-101 concerning transportation;

10 (44) § 6-20-2202 concerning the budget and expenditure report;

11 (45) § 6-21-106 concerning fire hazards inspection prior to closing  
12 for breaks;

13 (46) § 6-21-112 concerning school facilities;

14 (47) § 6-25-101 et seq. concerning the public school library media and  
15 technology;

16 (48) § 6-41-101 et seq. concerning services to children with  
17 disabilities in nonpublic schools;

18 (49) § 6-42-101 concerning gifted and talented; and

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

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

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

32 (h) Any superintendent who fails to file a written statement of assurance  
33 as required by the Director of the Department of Education under subsection  
34 (e) of this section by the date established by the Department of Education or  
35 knowingly submits false information or if the Department of Education  
36 determines the information in the statement is inaccurate or incomplete, the

1 Department of Education may:

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

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

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

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

8  
9 SECTION 25. SPECIAL LANGUAGE. Arkansas Code 6-16-804 is amended to read as  
10 follows:

11 6-16-804. Established - Subsidies - Rules and regulations.

12 (a) The Arkansas Advanced Placement Incentive Program is hereby  
13 established, to be administered by the Director of the Department of  
14 Education.

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

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

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

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

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

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

35 ~~(4)~~(3) All students taking advanced placement courses must take  
36 advanced placement tests or return the economic supplement.



1 (e) The board is authorized to promulgate rules and regulations necessary  
2 to implement this subchapter and the Director of the Department of Education  
3 may determine the amount of any awards or supplements made under this  
4 subchapter based on the amount of the appropriation and available funding for  
5 the program.

6  
7 SECTION 26. SPECIAL LANGUAGE. Arkansas Code § 6-15-204(b)(2), concerning  
8 professional development for teachers, is amended to add an additional  
9 subdivision to read as follows:

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

15  
16 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
18 PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional  
19 Development Funding for each fiscal year of the 2005-2007 biennium,  
20 \$4,000,000 shall be authorized by the Director of the Department of Education  
21 to be used by the Department of Education to develop and implement statewide  
22 professional development support systems for teacher that will benefit  
23 student achievement.  
24 The provisions of this section shall be in effect only from July 1, 2005  
25 through June 30, 2007.

26  
27 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
28 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RETIREMENT  
29 MATCHING. Beginning with the 1996-97 school year, Local School Districts  
30 shall pay the teacher retirement employer contribution rate for any eligible  
31 employee in accordance with rules and regulations established by the Teacher  
32 Retirement Board of Directors. The appropriation contained herein for Teacher  
33 Retirement Matching each fiscal year shall be used to provide the employer  
34 matching for employees of the Cooperative Education Services Areas,  
35 Vocational Centers, Arkansas Easter Seals and the school operated by the  
36 Department of Correction.

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. HEALTH  
6 INSURANCE. Beginning with the 1996-97 school year, Local School Districts  
7 shall pay no less than the health insurance contribution rate established by  
8 Arkansas Code 6-17-1117 for each eligible employee electing to participate in  
9 the Public School Employee Health Insurance Program. The appropriation  
10 contained herein for Public School Employee Insurance each fiscal year shall  
11 be used to provide the state contribution for insurance premiums for  
12 employees of the Cooperative Education Services Areas, Vocational Centers,  
13 and the school operated by the Department of Correction who participate in  
14 the Arkansas Public School Life and Health Insurance Program.

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

17  
18 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
19 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER CHANCE  
20 PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby  
21 authorized to expend a maximum of two percent (2%) of available funds to  
22 administer the program and to monitor program grantees to ensure compliance  
23 with programmatic standards.

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

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

28  
29 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CHARTER  
31 SCHOOL FUNDING RESTRICTIONS. Regardless of any provision of any law to the  
32 contrary, the Department of Education shall fund from state monies only those  
33 charter schools which provide education services in a traditional public  
34 school setting and, if the internet or long-distance learning technology is  
35 used, the internet or long-distance learning technology is used as a  
36 supplement to the school's traditional classroom setting.

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

3  
4 *SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE*  
5 *NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUPPLEMENTAL*  
6 *MILLAGE. Any school district that voluntarily raised their maintenance and*  
7 *operation mills only during the 2004-2005 school year in order to have a*  
8 *total millage beyond the twenty-five (25) mills required by the Arkansas*  
9 *Constitution, Amendment 74, and to meet the purpose of §*  
10 *6-20-2402(a)(3), and the district's property assessment per student*  
11 *is below the state average per student, that district shall qualify to*  
12 *receive any appropriate supplemental millage incentive funds otherwise*  
13 *available in the public school fund without regard to any other*  
14 *qualifications in law, including but not limited to, any requirement*  
15 *that a school district must have previously received debt service*  
16 *funding supplement.*

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

19  
20 *SECTION 33. Arkansas Code 19-5-1227 concerning the Educational*  
21 *Adequacy Fund is amended to read as follows:*

22  
23 *19-5-1227. Educational Adequacy Fund.*

24  
25 *(a) There is created on the books of the Treasurer of State, the Auditor of*  
26 *State, and the Chief Fiscal Officer of the State a fund to be known as the*  
27 *"Educational Adequacy Fund".*

28 *(b) After the Treasurer of State has made deductions from the revenues*  
29 *under § 19-5-203(b)(2)(A), the Educational Adequacy Fund shall consist of:*

30 *(1) All net revenues collected due to enactments of the Eighty-Fourth*  
31 *General Assembly meeting in Second Extraordinary Session, unless a different*  
32 *distribution of those additional net revenues is otherwise provided in the*  
33 *act creating those additional net revenues;*

34 *(2) The revenues credited to the Educational Adequacy Fund under § 26-54-*  
35 *113(b)(2);*

36 *(3) The revenues generated by §§ 26-52-302(d), 26-53-107(d), 26-52-316, and*

1 26-57-1002(d)(1)(A)(ii); and  
2 (4) Other revenues as provided by law.  
3 (c)(1) The Chief Fiscal Officer of the State will determine, from time to  
4 time, the amount of funds required from the Educational Adequacy Fund which,  
5 when added to other resources available to the Department of Education Public  
6 School Fund Account and the Department of Education Fund Account, is needed  
7 to fulfill the financial obligation of the state to provide an adequate  
8 educational system ~~as enacted by the Eighty Fourth General Assembly meeting~~  
9 ~~in Second Extraordinary Session~~ as authorized by law and shall certify the  
10 amounts to the Treasurer of State.  
11 (2) At the end of each month, the Treasurer of State shall transfer all  
12 moneys available from the Educational Adequacy Fund to the Department of  
13 Education Public School Fund Account of the Public School Fund and to the  
14 Department of Education Fund Account of the Education Fund, until the sum of  
15 all transfers from the Educational Adequacy Fund equal the amounts determined  
16 in subdivision (c)(1) of this section, there to be used as determined by law.  
17 (d) In the event the Chief Fiscal Officer of the State determines that the  
18 transfers from the Educational Adequacy Fund, when added to the other  
19 resources available to the Department of Education Public School Fund  
20 Account, are not sufficient to meet the state's financial obligation to  
21 provide an adequate educational system ~~as enacted by the Eighty Fourth~~  
22 ~~General Assembly meeting in Second Extraordinary Session~~ as authorized by  
23 law, the additional amount required shall be transferred from the other funds  
24 and fund accounts within § 19-5-402(a) and § 19-5-404(a) based upon the  
25 proportion that each of the remaining fund and fund accounts bears to the  
26 total of the remaining funds and fund accounts in § 19-5-402(a) and § 19-5-  
27 404(a).

28

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

1 strictly complied with in disbursement of said funds.

2  
3 SECTION 35. LEGISLATIVE INTENT. It is the intent of the General Assembly  
4 that any funds disbursed under the authority of the appropriations contained  
5 in this act shall be in compliance with the stated reasons for which this act  
6 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
7 and Legislative Recommendations contained in the budget manuals prepared by  
8 the Department of Finance and Administration, letters, or summarized oral  
9 testimony in the official minutes of the Arkansas Legislative Council or  
10 Joint Budget Committee which relate to its passage and adoption.

11  
12 SECTION 36. EMERGENCY CLAUSE. It is found and determined by the General  
13 Assembly, that the Constitution of the State of Arkansas prohibits the  
14 appropriation of funds for more than a two (2) year period; that the  
15 effectiveness of this Act on July 1, 2005 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the Regular Session, the delay in the effective  
18 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
19 proper administration and provision of essential governmental programs.  
20 Therefore, an emergency is hereby declared to exist and this Act being  
21 necessary for the immediate preservation of the public peace, health and  
22 safety shall be in full force and effect from and after July 1, 2005.

23  
24 /s/ Joint Budget Committee  
25  
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