

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 S4/11/05

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.

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. APPROPRIATIONS – SPECIAL NEEDS ISOLATED FUNDING. There is*
 21 *hereby appropriated, to the Department of Education, to be payable from the*
 22 *Department of Education Public School Fund Account, for special needs*
 23 *isolated funding of the Department of Education for the biennial period*
 24 *ending June 30, 2007, the following:*

25

26	ITEM	FISCAL YEARS	
27	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
28	(01) SPECIAL NEEDS ISOLATED FUNDING	<u>4,850,000</u>	<u>4,850,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,850,000</u>	<u>\$ 4,850,000</u>

30

31 *SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE*
 32 *NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND*
 33 *ALLOCATION. The appropriation for the ISOLATED FUNDING line item in Section 1*
 34 *of this Act may be fully funded. Any funding for that appropriation that is*
 35 *not utilized shall be transferred to the appropriation in Section 7 of this*
 36 *Act and shall be used there for fully funding each subsection (c) through (f)*

1 of Act 1452 continuing sequentially by subsection until the available funds
2 are exhausted.

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

5
6 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
8 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
9 Districts appropriation in Section 1 of this Act, "school district" means a
10 school district which contracts with a school district in an adjoining state
11 for the education of some of the pupils within the Arkansas school district
12 because the portion of the school district wherein such pupils live is
13 completely separated from the remainder of the school district by a reservoir
14 covering at least 12,000 acres at normal water level, and where to attend
15 school in their own district, the pupils of said portion would be required to
16 travel or to be transported a distance (measured by the nearest highway or
17 road route) of more than 35 miles round trip and pass through another school
18 district or districts. The Department of Education shall distribute the
19 monies appropriated for Grants to School Districts in Section 1 of this Act
20 to such school districts as reimbursement for expenses incurred in educating
21 the pupils residing in the separated portion of the school district. Such
22 school districts shall file a request for reimbursement with the Department
23 of Education and provide the Department of Education with such documentation
24 as is deemed necessary.

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

27
28 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
30 EDUCATION SERVICES. The funds appropriated in the line item "Special
31 Education Services" in Section 1 of this Act shall be used to provide
32 extended year summer programs for handicapped students in need of such
33 services, to provide special education services to foster children who are
34 wards of the State, and to provide funds for the payment of salaries of
35 special education supervisors. The Department of Education shall distribute
36 such funds in the manner necessary to carry out the intent of this Section.

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

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

31 ~~(B) For the fiscal year ending June 30, 2005, the Department of Education~~
32 ~~shall from time to time as needed, certify to the State Treasurer and the~~
33 ~~Chief Fiscal Officer of the State, the amount of funds disbursed for~~
34 ~~desegregation expenses under the "Pulaski County School Desegregation~~
35 ~~Settlement Agreement."~~ Upon the receipt of such certification, the State
36 ~~Treasurer, after making those deductions as set out in Arkansas Code 19-5-~~

1 ~~202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal~~
2 ~~year 2004-05 the sum of \$32,800,000 from the net general revenues and~~
3 ~~transfer this amount to the Department of Education Public School Fund~~
4 ~~Account.~~

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

7
8 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
10 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
11 Incentive shall be allocated in accordance with rules and regulations
12 established by the State Board of Education.

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

15
16 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
18 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
19 Residential Centers/Juvenile Detention shall be allocated in accordance with
20 rules and regulations established by the State Board of Education.

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

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

33
34 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
36 AUTHORITY. The Director of the Department of Education, with the approval of

1 the Chief Fiscal Officer and after approval by the Arkansas Legislative
2 Council or Joint Budget Committee, is hereby authorized to request necessary
3 appropriation transfers and any other budget related adjustments necessary.
4 Determining the maximum number of employees and the maximum amount of
5 appropriation and general revenue funding for a state agency each fiscal year
6 is the prerogative of the General Assembly. This is usually accomplished by
7 delineating such maximums in the appropriation act(s) for a state agency and
8 the general revenue allocations authorized for each fund and fund account by
9 amendment to the Revenue Stabilization law. Further, the General Assembly
10 has determined that the Department of Education may operate more efficiently
11 if some flexibility is provided to the Director of the Department of
12 Education authorizing broad powers under the Transfer Authority provision
13 herein. Therefore, it is both necessary and appropriate that the General
14 Assembly maintain oversight by requiring prior approval of the Legislative
15 Council or Joint Budget Committee as provided by this section. The
16 requirement of approval by the Legislative Council or Joint Budget Committee
17 is not a severable part of this section. If the requirement of approval by
18 the Legislative Council or Joint Budget Committee is ruled unconstitutional
19 by a court jurisdiction, this entire section is void.

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

22

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

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

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

35

36 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 ASSESSMENT/END OF LEVEL TESTING. Of the total amount appropriated for
3 Assessment/End-of-Level Testing for each fiscal year of the ~~2003-2005~~ 2005-
4 2007 biennium, up to \$500,000 may be authorized by the Director of the
5 Department of Education to be used to provide staff development training for
6 educational cooperatives, school districts, and for Department of Education
7 staff on such content areas as test interpretation, goal setting, educational
8 plan development, curriculum development, instructional strategies, classroom
9 management and for evaluation procedures.

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

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

22
23 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
25 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
26 shall make available from the Intervention Block Grants appropriation
27 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
28 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
29 dollars (\$13,500) each fiscal year for Odyssey of the Mind for grants up to
30 \$1,000 each for students and chaperones, thirteen thousand five hundred
31 dollars (\$13,500) each fiscal year for Destination Imagination, and five
32 thousand dollars (\$5,000) each fiscal year for the State History Day
33 Competition. The Department of Education shall allocate General Revenue
34 funding totaling no less than one hundred thirty two thousand dollars
35 (\$132,000) each fiscal year from the Department of Education Public School
36 Fund Account to support the annual expenses of the Quiz Bowl, the Odyssey of

1 the Mind for grants up to \$1,000 each for students and chaperones,
2 Destination Imagination, and the State History Day Competition. The
3 Department shall either expend or have committed for expenditure the monies
4 allocated for the Quiz Bowl, Odyssey of the Mind, Destination Imagination,
5 and the State History Day Competition as authorized herein in order to
6 fulfill the provisions of this section.

7 The provisions of this section shall be in effect only from July 1, ~~2003~~
8 2005 through June 30, ~~2005~~ 2007.

9

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

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

22

23 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXPLOR-
25 NET FUNDING PROVISION. Of the total appropriation authorized by this Act for
26 Technology Grants the Department of Education shall make available one
27 hundred eighty seven thousand five hundred seventy five dollars (\$187,575)
28 each fiscal year for Explor-Net Program initiatives to teach students
29 computer repair in a hands-on environment. The Department of Education shall
30 allocate General Revenue funding totaling no less than one hundred eighty
31 seven thousand five hundred seventy five dollars (\$187,575) each fiscal year
32 from the Department of Education Public School Fund Account to support the
33 Explor-Net Program. The Department shall either expend or have committed for
34 expenditure the monies allocated for the Explor-Net Program in order to
35 fulfill the provisions of this section.

36 The provisions of this section shall be in effect only from July 1, ~~2003~~

1 2005 through June 30, ~~2005~~ 2007.

2
3 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
5 LEADERSHIP ACADEMY - REDUCTION OF FUNDS RESTRICTION. Upon determination by
6 the Department of Education that a reduction in the amount of available
7 appropriation within the Department of Education Fund Account is required
8 from the amount appropriated, the reduction in the available appropriation
9 from the full amount appropriated for the Arkansas Leadership Academy shall
10 be limited to the average percentage reduction in the other appropriations to
11 the Department of Education from the Department of Education Fund Account.

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

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

31
32 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
33 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD.
34 The balance of the appropriation as provided in the Contents Standards
35 Curriculum Frameworks line item of Section 1 of this Act which remains on
36 June 30, 2006, shall be carried forward and made available for the same

1 purpose for the fiscal year ending June 30, 2007.

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

4
5 SECTION 26. 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 27. 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 28. 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 29. 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 30. 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 31. 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 32. 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 33. 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 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
27 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUPPLEMENTAL
28 MILLAGE. Any school district that voluntarily raised their maintenance and
29 operation mills only during the 2004-2005 school year in order to have a
30 total millage beyond the twenty-five (25) mills required by the Arkansas
31 Constitution, Amendment 74, and to meet the purpose of §
32 6-20-2402(a)(3), and the district's property assessment per student
33 is below the state average per student, that district shall qualify to
34 receive any appropriate supplemental millage incentive funds otherwise
35 available in the public school fund without regard to any other
36 qualifications in law, including but not limited to, any requirement

1 that a school district must have previously received debt service
2 funding supplement.

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

5
6 SECTION 35. Arkansas Code 19-5-1227 concerning the Educational
7 Adequacy Fund is amended to read as follows:

8
9 19-5-1227. Educational Adequacy Fund.

10
11 (a) There is created on the books of the Treasurer of State, the Auditor of
12 State, and the Chief Fiscal Officer of the State a fund to be known as the
13 "Educational Adequacy Fund".

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

16 (1) All net revenues collected due to enactments of the Eighty-Fourth
17 General Assembly meeting in Second Extraordinary Session, unless a different
18 distribution of those additional net revenues is otherwise provided in the
19 act creating those additional net revenues;

20 (2) The revenues credited to the Educational Adequacy Fund under § 26-54-
21 113(b)(2);

22 (3) The revenues generated by §§ 26-52-302(d), 26-53-107(d), 26-52-316, and
23 26-57-1002(d)(1)(A)(ii); and

24 (4) Other revenues as provided by law.

25 (c)(1) The Chief Fiscal Officer of the State will determine, from time to
26 time, the amount of funds required from the Educational Adequacy Fund which,
27 when added to other resources available to the Department of Education Public
28 School Fund Account and the Department of Education Fund Account, is needed
29 to fulfill the financial obligation of the state to provide an adequate
30 educational system ~~as enacted by the Eighty-Fourth General Assembly meeting~~
31 ~~in Second Extraordinary Session~~ as authorized by law and shall certify the
32 amounts to the Treasurer of State.

33 (2) At the end of each month, the Treasurer of State shall transfer all
34 moneys available from the Educational Adequacy Fund to the Department of
35 Education Public School Fund Account of the Public School Fund and to the
36 Department of Education Fund Account of the Education Fund, until the sum of

1 all transfers from the Educational Adequacy Fund equal the amounts determined
2 in subdivision (c)(1) of this section, there to be used as determined by law.
3 (d) In the event the Chief Fiscal Officer of the State determines that the
4 transfers from the Educational Adequacy Fund, when added to the other
5 resources available to the Department of Education Public School Fund
6 Account, are not sufficient to meet the state's financial obligation to
7 provide an adequate educational system ~~as enacted by the Eighty-Fourth~~
8 ~~General Assembly meeting in Second Extraordinary Session~~ as authorized by
9 law, the additional amount required shall be transferred from the other funds
10 and fund accounts within § 19-5-402(a) and § 19-5-404(a) based upon the
11 proportion that each of the remaining fund and fund accounts bears to the
12 total of the remaining funds and fund accounts in § 19-5-402(a) and § 19-5-
13 404(a).

14
15 SECTION 36. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
16 by this act shall be limited to the appropriation for such agency and funds
17 made available by law for the support of such appropriations; and the
18 restrictions of the State Procurement Law, the General Accounting and
19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
20 Procedures and Restrictions Act, or their successors, and other fiscal
21 control laws of this State, where applicable, and regulations promulgated by
22 the Department of Finance and Administration, as authorized by law, shall be
23 strictly complied with in disbursement of said funds.

24
25 SECTION 37. LEGISLATIVE INTENT. It is the intent of the General Assembly
26 that any funds disbursed under the authority of the appropriations contained
27 in this act shall be in compliance with the stated reasons for which this act
28 was adopted, as evidenced by the Agency Requests, Executive Recommendations
29 and Legislative Recommendations contained in the budget manuals prepared by
30 the Department of Finance and Administration, letters, or summarized oral
31 testimony in the official minutes of the Arkansas Legislative Council or
32 Joint Budget Committee which relate to its passage and adoption.

33
34 SECTION 38. EMERGENCY CLAUSE. It is found and determined by the General
35 Assembly, that the Constitution of the State of Arkansas prohibits the
36 appropriation of funds for more than a two (2) year period; that the

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

9
10 */s/ Joint Budget Committee*
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