

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: S2/19/07 S2/26/07

A Bill

SENATE BILL 261

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND
10 AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL
11 PROGRAMS FOR THE DEPARTMENT OF EDUCATION FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF EDUCATION
17 - GRANTS AND AID TO LOCAL SCHOOL
18 DISTRICTS APPROPRIATION FOR THE
19 2007-2009 BIENNIUM.
20
21
22

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 aid to local school districts and special
28 programs of the Department of Education for the biennial period ending June
29 30, 2009, the following:
30

31 ITEM	32 FISCAL YEARS	
	NO.	
33 (01) ACADEMIC IMPROVEMENT TRAINING	\$ 500,000	\$ 500,000
34 (02) ADVANCED PLACEMENT INCENTIVE	675,000	675,000
35 (03) ALTERNATIVE LEARNING	18,500,000	18,500,000
36 (04) ARKANSAS EASTER SEALS	193,113	193,113



1	(05)	ASSESSMENT/END OF COURSE TESTING	23,887,747	23,887,747
2	(06)	AT RISK	1,490,500	1,490,500
3	(07)	BETTER CHANCE PROGRAM	100,000,000	100,000,000
4	(08)	CONSOLIDATION INCENTIVE	12,550,000	12,550,000
5	(09)	CONTENT STANDARDS	161,000	161,000
6	(10)	CONTENTS STANDARDS CURRICULUM		
7		FRAMEWORKS	100,000	0
8	(11)	COOP EDUCATION TECH CENTERS	750,000	750,000
9	(12)	COURT ORDERED DESEGREGATION	65,955,923	69,814,372
10	(13)	CRIMINAL BACKGROUND CHECKS	50,000	50,000
11	(14)	DEBT SERVICE FUNDING	28,455,384	28,455,384
12	(15)	DECLINING ENROLLMENT	10,000,000	10,000,000
13	(16)	DEPT OF CORRECTION	5,027,675	5,147,675
14	(17)	DISTANCE LEARNING	3,500,000	3,500,000
15	(18)	DISTANCE LEARNING OPERATIONS	5,831,400	5,831,400
16	(19)	DISTRESSED SCHOOL DISTRICT SUPPORT	450,000	450,000
17	(20)	EARLY CHILDHOOD SPECIAL EDUCATION	10,000,000	10,000,000
18	(21)	ECONOMIC EDUCATION	350,000	350,000
19	(22)	EDUCATION SERVICE COOPERATIVES	4,929,270	4,929,270
20	(23)	ENGLISH LANGUAGE LEARNERS	7,058,100	7,586,200
21	(24)	FORMATIVE ASSESSMENTS	5,000,000	5,000,000
22	(25)	GENERAL FACILITIES FUNDING	8,100,000	8,100,000
23	(26)	GIFTED & TALENTED	1,292,896	1,292,896
24	(27)	GRANTS TO SCHOOL DISTRICTS	50,000	50,000
25	(28)	HOME SCHOOL TESTING	250,000	250,000
26	(29)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150	526,150
27	(30)	INTENSIVE SCHOOL SUPPORT	320,000	320,000
28	(31)	INTERVENTION BLOCK GRANTS	132,000	132,000
29	(32)	ISOLATED FUNDING	7,896,000	7,896,000
30	(33)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000	500,000
31	(34)	MASTER PRINCIPAL BONUS	45,000	90,000
32	(35)	NATIONAL BOARD OF PROF TEACHING		
33		STANDARDS	3,881,500	4,631,500
34	(36)	NATIONAL SCHOOL LUNCH	156,672,512	157,416,512
35	(37)	NON-TRADITIONAL LICENSURE	50,000	50,000
36	(38)	PROFESSIONAL DEVELOPMENT FUNDING	22,850,000	22,925,000

1	(39)	PUBLIC SCHOOL EMPLOYEE INSURANCE	36,878,600	36,878,600
2	(40)	PYGMALION COMMISSION	40,000	40,000
3	(41)	RESIDENTIAL CENTERS/JUVENILE DETENTION	11,514,482	11,650,982
4	(42)	SCHOOL FOOD SERVICES	1,650,000	1,650,000
5	(43)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000	75,000
6	(44)	SCHOOL FUNDING CONTINGENCY	25,000,000	25,000,000
7	(45)	SCHOOL WORKER DEFENSE	390,000	390,000
8	(46)	SERIOUS OFFENDER	1,050,946	1,050,946
9	(47)	SMART START/SMART STEP	7,181,815	7,181,815
10	(48)	SPECIAL EDUCATION SERVICES	4,145,285	4,145,285
11	(49)	SPECIAL EDUCATION-CATASTROPHIC	11,000,000	11,000,000
12	(50)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000	3,000,000
13	(51)	STATE FOUNDATION FUNDING	1,832,136,000	1,851,336,000
14	(52)	STUDENT GROWTH	50,000,000	50,000,000
15	(53)	SUPPLEMENTAL MILLAGE	10,000,000	10,000,000
16	(54)	SURPLUS COMMODITIES	630,000	630,000
17	(55)	TEACHER HOUSING DEVELOPMENT	100,000	100,000
18	(56)	TEACHER LICENSING/MENTORING	7,508,758	7,508,758
19	(57)	TEACHER OF THE YEAR	125,000	125,000
20	(58)	TEACHER RECRUITMENT	1,600,000	1,600,000
21	(59)	TEACHER RETIREMENT MATCHING	6,050,000	6,655,000
22	(60)	TECHNOLOGY GRANTS	1,602,678	1,602,678
23	(61)	TECHNOLOGY IMPROVEMENTS	1,000,000	1,000,000
24	(62)	WORKER'S COMPENSATION	450,000	450,000
25	(63)	YOUTH SHELTERS	<u>165,000</u>	<u>165,000</u>
26		TOTAL AMOUNT APPROPRIATED	<u>\$2,521,274,734</u>	<u>\$2,547,236,783</u>

27

28 SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.
 29 There is hereby established for the Department of Education - Arkansas Public
 30 School Computer Network for the 2007-2009 biennium, the following maximum
 31 number of regular employees whose salaries shall be governed by the
 32 provisions of the Uniform Classification and Compensation Act (Arkansas Code
 33 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
 34 Provided, however, that any position to which a specific maximum annual
 35 salary is set out herein in dollars, shall be exempt from the provisions of
 36 said Uniform Classification and Compensation Act. All persons occupying

1 positions authorized herein are hereby governed by the provisions of the
 2 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 3 or its successor.

Item	Class		Maximum	Maximum Annual	
No.	Code	Title	No. of	Salary Rate	
			Employees	Fiscal Years	
				2007-2008	
				2008-2009	
9	(1)	9514 ED DIRECTOR APSCN	1	\$94,105	\$95,987
10	(2)	827Z DP CENTER MANAGER	1	GRADE	26
11	(3)	027Z ED ASSOC DIRECTOR APSCN	1	GRADE	26
12	(4)	903Z TECHNICAL ASSISTANCE MANAGER	2	GRADE	24
13	(5)	D064 SR SYSTEMS PROGRAMMER	1	GRADE	24
14	(6)	028Z ED APSCN COOR/INTERNAL OPS	1	GRADE	23
15	(7)	D124 LEAD PROGRAMMER/ANALYST	2	GRADE	22
16	(8)	D123 APPLICATIONS & SYSTEMS ANALYST	1	GRADE	21
17	(9)	R290 PUBLIC SCHOOL PROGRAM ADVISOR	20	GRADE	21
18	(10)	R266 MANAGEMENT PROJECT ANALYST II	2	GRADE	20
19	(11)	E114 STAFF DEVELOPMENT COORDINATOR	6	GRADE	20
20	(12)	A110 ACCOUNTANT II	1	GRADE	19
21	(13)	R264 MANAGEMENT PROJECT ANALYST I	1	GRADE	18
22	(14)	E072 TRAINING INSTRUCTOR	4	GRADE	18
23	(15)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
24	(16)	K155 SECRETARY I	<u>1</u>	GRADE	11
25		MAX. NO. OF EMPLOYEES	46		

27 SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK. There
 28 is hereby appropriated, to the Department of Education, to be payable from
 29 the Department of Education Public School Fund Account, for personal services
 30 and operating expenses of the Department of Education - Arkansas Public
 31 School Computer Network for the biennial period ending June 30, 2009, the
 32 following:

ITEM	FISCAL YEARS		
NO.	2007-2008	2008-2009	
36 (01)	REGULAR SALARIES	\$ 2,013,674	\$ 2,053,926

1	(02) PERSONAL SERVICES MATCHING	630,366	639,108
2	(03) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	1,677,795	1,731,395
4	(B) CONF. & TRAVEL	7,250	7,250
5	(C) PROF. FEES	0	0
6	(D) CAP. OUTLAY	0	0
7	(E) DATA PROC.	11,231,158	11,349,389
8	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>	<u>300,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,860,243</u>	<u>\$ 16,081,068</u>

10

11 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There is
 12 hereby established for the Department of Education - Office of Education
 13 Renewal Zones for the 2007-2009 biennium, the following maximum number of
 14 regular employees whose salaries shall be governed by the provisions of the
 15 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
 16 seq.), or its successor, and all laws amendatory thereto. Provided, however,
 17 that any position to which a specific maximum annual salary is set out herein
 18 in dollars, shall be exempt from the provisions of said Uniform
 19 Classification and Compensation Act. All persons occupying positions
 20 authorized herein are hereby governed by the provisions of the Regular
 21 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
 22 successor.

23

24				Maximum Annual	
25				Maximum	Salary Rate
26	Item	Class		No. of	Fiscal Years
27	<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>Employees</u>	<u>2007-2008</u> <u>2008-2009</u>
28	(1)	917Z	OERZ DIRECTOR	1	GRADE 26
29	(2)	R085	TECHNICAL ASSISTANCE SPECIALIST	3	GRADE 21
30	(3)	R009	ADMINISTRATIVE ASSISTANT I	<u>1</u>	GRADE 15
31			MAX. NO. OF EMPLOYEES	5	

32

33 SECTION 5. APPROPRIATION - EDUCATION RENEWAL ZONES. There is hereby
 34 appropriated, to the Department of Education, to be payable from the
 35 Department of Education Public School Fund Account, for personal services and
 36 operating expenses of the Department of Education - Education Renewal Zones

1 for the biennial period ending June 30, 2009, the following:

2

3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	2007-2008	2008-2009
5	(01) REGULAR SALARIES	\$ 240,882	\$ 245,698
6	(02) PERSONAL SERVICES MATCHING	73,294	74,342
7	(03) MAINT. & GEN. OPERATION		
8	(A) OPER. EXPENSE	29,700	29,700
9	(B) CONF. & TRAVEL	8,000	8,000
10	(C) PROF. FEES	440,000	440,000
11	(D) CAP. OUTLAY	0	0
12	(E) DATA PROC.	0	0
13	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,234,000</u>	<u>1,234,000</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,025,876</u>	<u>\$ 2,031,740</u>

15

16 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 18 DISBURSEMENT PROCEDURES. The State Board of Education shall develop rules and
 19 regulations for disbursement of the funds in a manner that insures equity in
 20 meeting the provisions of the nurse to student ratio established in Arkansas
 21 Code 6-18-706.

22 The provisions of this section shall be in effect only from July 1, ~~2005~~
 23 2007 through June 30, ~~2007~~ 2009.

24

25 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 27 ALLOCATION. The appropriation for the Isolated Funding line item in Section 1
 28 of this Act may be fully funded. Any funding for that appropriation that is
 29 not utilized shall be transferred to the appropriation for Special Needs
 30 Isolated Funding in Section 7 1 of this Act and shall be used there for fully
 31 funding each subsection (c) through (f) of A.C.A. §6-20-604 Act 1452
 32 continuing sequentially by subsection until the available funds are
 33 exhausted.

34 The provisions of this section shall be in effect only from July 1, ~~2005~~
 35 2007 through June 30, ~~2007~~ 2009.

36

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

20 The provisions of this section shall be in effect only from July 1, 2005
21 2007 through June 30, ~~2007~~ 2009.

22

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

32 The provisions of this section shall be in effect only from July 1, 2005
33 2007 through June 30, ~~2007~~ 2009.

34

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

1 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
2 fiscal year thereafter, the Department of Education shall from time to time
3 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
4 State, the amount of funds disbursed or approved to be disbursed by the
5 Department of Education for desegregation expenses under any "Desegregation
6 Settlement Agreement". Upon the receipt of such certification, the State
7 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
8 202(b)(2)(B), shall also deduct from the net general revenues the amount
9 certified and transfer this amount to the Department of Education Public
10 School Fund Account there to be used exclusively for payment of or
11 reimbursement for expenses incurred from the Department of Education Public
12 School Fund Account under any "Desegregation Settlement Agreement".
13

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

19 The provisions of this section shall be in effect only from July 1, ~~2005~~
20 2007 through June 30, ~~2007~~ 2009.
21

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

27 The provisions of this section shall be in effect only from July 1, ~~2005~~
28 2007 through June 30, ~~2007~~ 2009.
29

30 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
32 AUTHORITY. The Director of the Department of Education, with the approval of
33 the Chief Fiscal Officer and after approval by the Arkansas Legislative
34 Council or Joint Budget Committee, is hereby authorized to request necessary
35 appropriation transfers and any other budget related adjustments necessary.
36 Determining the maximum number of employees and the maximum amount of

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

16 The provisions of this section shall be in effect only from July 1, ~~2005~~
17 2007 through June 30, ~~2007~~ 2009.

18
19 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
21 ASSESSMENT/END-OF-~~LEVEL~~ COURSE TESTING. Of the total amount appropriated for
22 Assessment/End-of-~~Level~~-Course Testing for each fiscal year of the ~~2005-2007~~
23 2007-2009 biennium, up to \$500,000 may be authorized by the Director of the
24 Department of Education to be used to provide staff development training for
25 educational cooperatives, school districts, and for Department of Education
26 staff on such content areas as test interpretation, goal setting, educational
27 plan development, curriculum development, instructional strategies, classroom
28 management and for evaluation procedures.

29 The provisions of this section shall be in effect only from July 1, ~~2005~~
30 2007 through June 30, ~~2007~~ 2009.

31
32 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
34 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
35 authorized herein to the Department of Education - for the Quiz Bowl each
36 fiscal year, an amount not to exceed ~~40%~~ forty thousand dollars (\$40,000)

1 each fiscal year may be made available to the Department of Education -
2 Educational Television Division for its documented costs associated with the
3 Quiz Bowl.

4 The provisions of this section shall be in effect only from July 1, 2005
5 2007 through June 30, ~~2007~~ 2009.

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

28 The provisions of this section shall be in effect only from July 1, 2005
29 2007 through June 30, ~~2007~~ 2009.

30
31 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
33 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
34 each fiscal year, an amount of not less than one million dollars (\$1,000,000)
35 or eighteen percent (18%), whichever is greater each fiscal year, shall be
36 awarded through a grant or professional services contract for EAST

1 infrastructure, ~~personal services~~ personnel, and operating expenses. The EAST
2 infrastructure grant or contract for personal services and operating expenses
3 shall be awarded to an entity that has personnel or experience, or both, in
4 implementing the EAST Initiative.

5 The provisions of this section shall be in effect only from July 1, ~~2005~~
6 2007 through June 30, ~~2007~~ 2009.

7

8 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXPLOR-
10 NET FUNDING PROVISION. Of the total appropriation authorized by this Act for
11 Technology Grants the Department of Education shall make available one
12 hundred eighty seven thousand five hundred seventy five dollars (\$187,575)
13 each fiscal year for Explor-Net Program initiatives to teach students
14 computer repair in a hands-on environment. The Department of Education shall
15 allocate General Revenue funding totaling no less than one hundred eighty
16 seven thousand five hundred seventy five dollars (\$187,575) each fiscal year
17 from the Department of Education Public School Fund Account to support the
18 Explor-Net Program. The Department shall either expend or have committed for
19 expenditure the monies allocated for the Explor-Net Program in order to
20 fulfill the provisions of this section.

21 The provisions of this section shall be in effect only from July 1, ~~2005~~
22 2007 through June 30, ~~2007~~ 2009.

23

24 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
26 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
27 "Distressed School District Support" in Section 1 of ~~the~~ this Act may be used
28 for technical assistance offered by the Department of Education to school
29 districts in academic distress that can include, but is not limited to,
30 teacher specialists, principal specialists, and other personnel assigned by
31 the 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 2007 through June 30, ~~2007~~ 2009.

4
5 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
7 FORWARD. The balance of the appropriation as provided in the Contents
8 Standards Curriculum Frameworks line item of Section 1 of this Act which
9 remains on June 30, ~~2006~~ 2008, shall be carried forward and made available
10 for the same purpose for the fiscal year ending June 30, ~~2007~~ 2009.

11 Any carry forward of unexpended balance of appropriation and/or funding as
12 authorized herein, may be carried forward under the following conditions:

13 (1) Prior to June 30, 2008 the Agency shall by written statement set
14 forth its reason(s) for the need to carry forward said appropriation and/or
15 funding to the Department of Finance and Administration Office of Budget;

16 (2) The Department of Finance and Administration Office of Budget shall
17 report to the Arkansas Legislative Council all amounts carried forward from
18 the first fiscal year of the biennium to the second fiscal year of the
19 biennium by the September Arkansas Legislative Council or Joint Budget
20 Committee meeting in the second fiscal year of the biennial period which
21 report shall include the name of the Agency, Board, Commission or Institution
22 and the amount of the appropriation and/or funding carried forward from the
23 first fiscal year to the second fiscal year, the program name or line item,
24 the funding source of that appropriation and a copy of the written request
25 set forth in (1) above;

26 (3) Each Agency, Board, Commission or Institution shall provide a written
27 report to the Arkansas Legislative Council or Joint Budget Committee
28 containing all information set forth in item (2) above, along with a written
29 statement as to the current status of the project, contract, purpose etc. for
30 which the carry forward was originally requested no later than thirty (30)
31 days prior to the time the Agency, Board, Commission or Institution presents
32 its budget request to the Arkansas Legislative Council/Joint Budget
33 Committee; and

34 (4) Thereupon, the Department of Finance and Administration shall include
35 all information obtained in item (3) above in the biennial budget manuals
36 and/or a statement of non-compliance by the Agency, Board, Commission or

1 Institution.

2 The provisions of this section shall be in effect only from July 1, 2005
3 2007 through June 30, ~~2007~~ 2009.

4
5 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional
8 Development Funding for each fiscal year of the ~~2005-2007~~ 2007-2009 biennium,
9 four million dollars (\$4,000,000) ~~shall~~ may be authorized by the Director of
10 the Department of Education to be used by the Department of Education to
11 develop and implement statewide professional development support systems for
12 teachers that will benefit student achievement.
13 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
14 through June 30, ~~2007~~ 2009.

15

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

26 The provisions of this section shall be in effect only from July 1, 2005
27 2007 through June 30, ~~2007~~ 2009.

28

29 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
31 INSURANCE. Beginning with the 1996-97 school year, Local School Districts
32 shall pay no less than the health insurance contribution rate established by
33 Arkansas Code 6-17-1117 for each eligible employee electing to participate in
34 the Public School Employee Health Insurance Program. The appropriation
35 contained herein for Public School Employee Insurance each fiscal year shall
36 be used to provide the state contribution for insurance premiums for

1 employees of the Cooperative Education Services Areas, Vocational Centers,
2 and the school operated by the Department of Correction who participate in
3 the Arkansas Public School Life and Health Insurance Program.

4 In addition, the Department of Education shall pay the Employee Benefits
5 Division of the Department of Finance and Administration sixty-one dollars
6 (\$61) per month for each eligible employee electing to participate in the
7 public school employee health insurance program.

8 The provisions of this section shall be in effect only from July 1, 2005
9 2007 through June 30, ~~2007~~ 2009.

10
11 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
13 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
14 authorized to expend a maximum of ~~two one and a half percent (2%)~~ (1.5%) of
15 available funds to administer the program and to monitor program grantees to
16 ensure compliance with programmatic standards.

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

19 The provisions of this section shall be in effect only from July 1, 2005
20 2007 through June 30, ~~2007~~ 2009.

21
22 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
24 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
25 authorized to expend a maximum of two percent (2%) of available funds for
26 administration of the Better Chance Program. Up to 1.8% of available funds
27 shall be used to administer the program and to monitor program grantees to
28 ensure compliance with programmatic standards. Prior to the utilization of
29 the remaining 0.2% of available funds, the Department of Education shall seek
30 prior review and approval of the Arkansas Legislative Council or Joint Budget
31 Committee by providing a written request to include the following: a) the
32 Department's reason(s) for the use of the funds and b) the amount of funds
33 that will be expended. The Department may contract with the Division of Child
34 Care and Early Childhood Education to administer the program. Determining the
35 maximum number of employees and the maximum amount of appropriation and
36 general revenue funding for a state agency each fiscal year is the

1 prerogative of the General Assembly. This is usually accomplished by
2 delineating such maximums in the appropriation act(s) for a state agency and
3 the general revenue allocations authorized for each fund and fund account by
4 amendment to the Revenue Stabilization law. Therefore, it is both necessary
5 and appropriate that the General Assembly maintain oversight by requiring
6 prior approval of the Legislative Council or Joint Budget Committee as
7 provided by this section. The requirement of approval by the Legislative
8 Council or Joint Budget Committee is not a severable part of this section.
9 If the requirement of approval by the Legislative Council or Joint Budget
10 Committee is ruled unconstitutional by a court of competent jurisdiction,
11 this entire section is void.

12 The provisions of this section shall be in effect only from July 1, 2007
13 through June 30, 2009.

14
15 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
17 TEACHER SALARY. The Arkansas Department of Education is requested to
18 calculate Average Teacher Salary in the Department's Annual Statistical
19 Report to not include extra duty funds. Specifically, the Department is
20 requested to calculate the Average Teacher Salary amount using the National
21 Education Association definitions for Average Salary for Classroom Teachers.
22 The Arkansas Department of Education shall report on the feasibility of this
23 action to the House and Senate Committees on Education by February 1, 2007.

24
25 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
27 FORWARD. Any unexpended balance of monies allocated for the Arkansas Better
28 Chance for School Success Program remaining on June 30, 2008 and June 30,
29 2009, in the Department of Education Public School Fund Account shall be
30 designated and retained for the Arkansas Better Chance for School Success
31 Program.

32 Any carry forward of unexpended balance of appropriation and/or funding as
33 authorized herein, may be carried forward under the following conditions:

34 (1) Prior to June 30, 2008 and June 30, 2009 the Agency shall by written
35 statement set forth its reason(s) for the need to carry forward said
36 appropriation and/or funding to the Department of Finance and Administration

1 Office of Budget;

2 (2) The Department of Finance and Administration Office of Budget shall
3 report to the Arkansas Legislative Council all amounts carried forward from
4 the first fiscal year of the biennium to the second fiscal year of the
5 biennium by the September Arkansas Legislative Council or Joint Budget
6 Committee meeting in the second fiscal year of the biennial period and from
7 the second year of the biennium by the following September Arkansas
8 Legislative Council or Joint Budget Committee meeting which report shall
9 include the name of the Agency, Board, Commission or Institution and the
10 amount of the appropriation and/or funding carried forward from the first
11 fiscal year to the second fiscal year, the program name or line item, the
12 funding source of that appropriation and a copy of the written request set
13 forth in (1) above;

14 (3) Each Agency, Board, Commission or Institution shall provide a written
15 report to the Arkansas Legislative Council or Joint Budget Committee
16 containing all information set forth in item (2) above, along with a written
17 statement as to the current status of the project, contract, purpose etc. for
18 which the carry forward was originally requested no later than thirty (30)
19 days prior to the time the Agency, Board, Commission or Institution presents
20 its budget request to the Arkansas Legislative Council/Joint Budget
21 Committee; and

22 (4) Thereupon, the Department of Finance and Administration shall include
23 all information obtained in item (3) above in the biennial budget manuals
24 and/or a statement of non-compliance by the Agency, Board, Commission or
25 Institution.

26 The provisions of this section shall be in effect only from July 1, 2007
27 through June 30, 2009.

28
29 SECTION 28. 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 29. 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 30. 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, 2007 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, 2007 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, 2007.

23
24 /s/ Joint Budget Committee
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