

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 S3/5/07

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.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department
26 of Education, to be payable from the Department of Education Public School
27 Fund Account, for grants and 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	825,000	825,000
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	111,000,000	111,000,000
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	1,200,000	1,200,000
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	6,500,000	6,500,000
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	14,870,625	15,316,744
18	(21)	ECONOMIC EDUCATION	350,000	350,000
19	(22)	EDUCATION SERVICE COOPERATIVES	5,529,270	5,529,270
20	(23)	ENGLISH LANGUAGE LEARNERS	8,803,208	10,231,111
21	(24)	GENERAL FACILITIES FUNDING	8,100,000	8,100,000
22	(25)	GIFTED & TALENTED	1,422,896	1,422,896
23	(26)	GRANTS TO SCHOOL DISTRICTS	50,000	50,000
24	(27)	HOME SCHOOL TESTING	250,000	250,000
25	(28)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150	526,150
26	(29)	INTENSIVE SCHOOL SUPPORT	320,000	320,000
27	(30)	INTERVENTION BLOCK GRANTS	132,000	132,000
28	(31)	ISOLATED FUNDING	7,896,000	7,896,000
29	(32)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000	500,000
30	(33)	MASTER PRINCIPAL BONUS	45,000	90,000
31	(34)	NATIONAL BOARD OF PROF TEACHING		
32		STANDARDS	4,843,500	6,093,500
33	(35)	NATIONAL SCHOOL LUNCH	156,672,512	157,416,512
34	(36)	NON-TRADITIONAL LICENSURE	50,000	50,000
35	(37)	PROFESSIONAL DEVELOPMENT FUNDING	22,965,000	23,160,000
36	(38)	PUBLIC SCHOOL EMPLOYEE INSURANCE	37,066,600	37,273,600

1	(39)	PYGMALION COMMISSION	40,000	40,000
2	(40)	RESIDENTIAL CENTERS/JUVENILE DETENTION	13,385,831	13,516,231
3	(41)	SCHOOL FOOD SERVICES	1,650,000	1,650,000
4	(42)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000	75,000
5	(43)	SCHOOL FUNDING CONTINGENCY	25,000,000	25,000,000
6	(44)	SCHOOL WORKER DEFENSE	390,000	390,000
7	(45)	SERIOUS OFFENDER	1,050,946	1,050,946
8	(46)	SMART START/SMART STEP	10,252,118	10,252,118
9	(47)	SPECIAL EDUCATION SERVICES	4,145,285	4,145,285
10	(48)	SPECIAL EDUCATION-CATASTROPHIC	11,000,000	11,000,000
11	(49)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000	3,000,000
12	(50)	STATE FOUNDATION FUNDING	1,829,484,377	1,849,348,996
13		(OF THE TOTAL APPROPRIATION		
14		IN ITEM (50) ABOVE,		
15		\$23,465,304 IN FY2007-08 AND		
16		\$40,359,648 IN FY2008-09 IS		
17		PROVIDED FOR ENHANCED EDUCATIONAL		
18		FUNDING)		
19	(51)	STUDENT GROWTH	53,780,000	54,851,000
20	(52)	SUPPLEMENTAL MILLAGE	10,000,000	10,000,000
21	(53)	SURPLUS COMMODITIES	630,000	630,000
22	(54)	TEACHER HOUSING DEVELOPMENT	100,000	100,000
23	(55)	TEACHER LICENSING/MENTORING	7,508,758	7,508,758
24	(56)	TEACHER OF THE YEAR	125,000	125,000
25	(57)	TEACHER RECRUITMENT	2,100,000	2,100,000
26	(58)	TEACHER RETIREMENT MATCHING	6,050,000	6,655,000
27	(59)	TECHNOLOGY GRANTS	3,602,678	3,602,678
28	(60)	TECHNOLOGY IMPROVEMENTS	1,000,000	1,000,000
29	(61)	WORKER'S COMPENSATION	450,000	450,000
30	(62)	YOUTH SHELTERS	165,000	165,000
31	(63)	ALTERNATIVE PAY	2,500,000	2,500,000
32	(64)	TRAVELING TEACHERS	500,000	500,000
33	(65)	98% URT ACTUAL COLLECTION		
34		ADJUSTMENT	<u>13,435,165</u>	<u>14,268,625</u>
35		TOTAL AMOUNT APPROPRIATED	<u>\$2,564,490,661</u>	<u>\$2,595,188,611</u>

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SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.
 There is hereby established for the Department of Education - Arkansas Public School Computer Network for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

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

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

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 2,013,674	\$ 2,053,926
(02) PERSONAL SERVICES MATCHING	630,366	639,108
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,677,795	1,731,395
(B) CONF. & TRAVEL	7,250	7,250
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	11,231,158	11,349,389
(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>	<u>300,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 15,860,243</u>	<u>\$ 16,081,068</u>

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

Item Class	Maximum No. of	Maximum Annual
		Salary Rate Fiscal Years

No.	Code	Title	Employees	2007-2008	2008-2009
(1)	917Z	OERZ DIRECTOR	1	GRADE 26	
(2)	R085	TECHNICAL ASSISTANCE SPECIALIST	3	GRADE 21	
(3)	R009	ADMINISTRATIVE ASSISTANT I	<u>1</u>	GRADE 15	
		MAX. NO. OF EMPLOYEES	5		

SECTION 5. APPROPRIATION - EDUCATION RENEWAL ZONES. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for personal services and operating expenses of the Department of Education - Education Renewal Zones for the biennial period ending June 30, 2009, the following:

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

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

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

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

1 ALLOCATION. The appropriation for the Isolated Funding line item in Section 1
2 of this Act may be fully funded. Any funding for that appropriation that is
3 not utilized shall be transferred to the appropriation for Special Needs
4 Isolated Funding in Section 7 1 of this Act and shall be used there for fully
5 funding each subsection (c) through (f) of A.C.A. §6-20-604 Act 1452
6 continuing sequentially by subsection until the available funds are
7 exhausted.

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

30 The provisions of this section shall be in effect only from July 1, ~~2005~~
31 2007 through June 30, ~~2007~~ 2009.

32
33 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
35 EDUCATION SERVICES. The funds appropriated in the line item "Special
36 Education Services" in Section 1 of this Act shall be used to provide

1 extended year summer programs for handicapped students in need of such
2 services, to provide special education services to foster children who are
3 wards of the State, and to provide funds for the payment of salaries of
4 special education supervisors. The Department of Education shall distribute
5 such funds in the manner necessary to carry out the intent of this Section.

6 The provisions of this section shall be in effect only from July 1, ~~2005~~
7 2007 through June 30, ~~2007~~ 2009.

8
9 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
12 fiscal year thereafter, the Department of Education shall from time to time
13 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
14 State, the amount of funds disbursed or approved to be disbursed by the
15 Department of Education for desegregation expenses under any "Desegregation
16 Settlement Agreement". Upon the receipt of such certification, the State
17 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
18 202(b)(2)(B), shall also deduct from the net general revenues the amount
19 certified and transfer this amount to the Department of Education Public
20 School Fund Account there to be used exclusively for payment of or
21 reimbursement for expenses incurred from the Department of Education Public
22 School Fund Account under any "Desegregation Settlement Agreement".

23
24 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

26 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
27 Incentive shall be allocated in accordance with rules and regulations
28 established by the State Board of Education.

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

34 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
35 Residential Centers/Juvenile Detention shall be allocated in accordance with
36 rules and regulations established by the State Board of Education.

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

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

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

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29 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
31 ASSESSMENT/END-OF-~~LEVEL~~ COURSE TESTING. Of the total amount appropriated for
32 Assessment/End-of-~~Level~~-Course Testing for each fiscal year of the ~~2005-2007~~
33 2007-2009 biennium, up to \$500,000 may be authorized by the Director of the
34 Department of Education to be used to provide staff development training for
35 educational cooperatives, school districts, and for Department of Education
36 staff on such content areas as test interpretation, goal setting, educational

1 plan development, curriculum development, instructional strategies, classroom
2 management and for evaluation procedures.

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

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6 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
8 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
9 authorized herein to the Department of Education - for the Quiz Bowl each
10 fiscal year, an amount not to exceed ~~40%~~ forty thousand dollars (\$40,000)
11 each fiscal year may be made available to the Department of Education -
12 Educational Television Division for its documented costs associated with the
13 Quiz Bowl.

14 The provisions of this section shall be in effect only from July 1, 2005
15 2007 through June 30, ~~2007~~ 2009.

16

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

1 this section.

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

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

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

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

33
34 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
36 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item

1 "Distressed School District Support" in Section 1 of ~~the~~ this Act may be used
2 for technical assistance offered by the Department of Education to school
3 districts in academic distress that can include, but is not limited to,
4 teacher specialists, principal specialists, and other personnel assigned by
5 the department. These funds may also be used for alternative research-based
6 technical assistance or programs. Criteria for selecting and approving
7 alternative research-based technical assistance or programs are to be
8 promulgated as a rule by the State Board of Education, provided that
9 alternative staffing and/or compensation programs for teachers shall be
10 approved by at least a majority of the teachers in the school, schools, or
11 school district participating in the program.

12 The provisions of this section shall be in effect only from July 1, 2005
13 2007 through June 30, ~~2007~~ 2009.

14

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

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

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

26 (2) The Department of Finance and Administration Office of Budget shall
27 report to the Arkansas Legislative Council all amounts carried forward from
28 the first fiscal year of the biennium to the second fiscal year of the
29 biennium by the September Arkansas Legislative Council or Joint Budget
30 Committee meeting in the second fiscal year of the biennial period which
31 report shall include the name of the Agency, Board, Commission or Institution
32 and the amount of the appropriation and/or funding carried forward from the
33 first fiscal year to the second fiscal year, the program name or line item,
34 the funding source of that appropriation and a copy of the written request
35 set forth in (1) above;

36 (3) Each Agency, Board, Commission or Institution shall provide a written

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

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

12 The provisions of this section shall be in effect only from July 1, 2005
13 2007 through June 30, ~~2007~~ 2009.

14
15 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

17 PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional
18 Development Funding for each fiscal year of the ~~2005-2007~~ 2007-2009 biennium,
19 four million dollars (\$4,000,000) ~~shall~~ may be authorized by the Director of
20 the Department of Education to be used by the Department of Education to
21 develop and implement statewide professional development support systems for
22 teachers that will benefit student achievement.

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

25
26 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

28 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
29 Districts shall pay the teacher retirement employer contribution rate for any
30 eligible employee in accordance with rules and regulations established by the
31 Teacher Retirement Board of Directors. The appropriation contained herein for
32 Teacher Retirement Matching each fiscal year shall be used to provide the
33 employer matching for employees of the Cooperative Education Services Areas,
34 Vocational Centers, Arkansas Easter Seals and the school operated by the
35 Department of Correction.

36 The provisions of this section shall be in effect only from July 1, 2005

1 2007 through June 30, ~~2007~~ 2009.

2

3 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
5 INSURANCE. Beginning with the 1996-97 school year, Local School Districts
6 shall pay no less than the health insurance contribution rate established by
7 Arkansas Code 6-17-1117 for each eligible employee electing to participate in
8 the Public School Employee Health Insurance Program. The appropriation
9 contained herein for Public School Employee Insurance each fiscal year shall
10 be used to provide the state contribution for insurance premiums for
11 employees of the Cooperative Education Services Areas, Vocational Centers,
12 and the school operated by the Department of Correction who participate in
13 the Arkansas Public School Life and Health Insurance Program.

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

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

20

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

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

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 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
34 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
35 authorized to expend a maximum of two percent (2%) of available funds for
36 administration of the Better Chance Program. Up to 1.8% of available funds

1 shall be used to administer the program and to monitor program grantees to
2 ensure compliance with programmatic standards. Prior to the utilization of
3 the remaining 0.2% of available funds, the Department of Education shall seek
4 prior review and approval of the Arkansas Legislative Council or Joint Budget
5 Committee by providing a written request to include the following: a) the
6 Department's reason(s) for the use of the funds and b) the amount of funds
7 that will be expended. The Department may contract with the Division of Child
8 Care and Early Childhood Education to administer the program. Determining the
9 maximum number of employees and the maximum amount of appropriation and
10 general revenue funding for a state agency each fiscal year is the
11 prerogative of the General Assembly. This is usually accomplished by
12 delineating such maximums in the appropriation act(s) for a state agency and
13 the general revenue allocations authorized for each fund and fund account by
14 amendment to the Revenue Stabilization law. Therefore, it is both necessary
15 and appropriate that the General Assembly maintain oversight by requiring
16 prior approval of the Legislative Council or Joint Budget Committee as
17 provided by this section. The requirement of approval by the Legislative
18 Council or Joint Budget Committee is not a severable part of this section.
19 If the requirement of approval by the Legislative Council or Joint Budget
20 Committee is ruled unconstitutional by a court of competent jurisdiction,
21 this entire section is void.

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

24
25 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
27 TEACHER SALARY. The Arkansas Department of Education is requested to
28 calculate Average Teacher Salary in the Department's Annual Statistical
29 Report to not include extra duty funds. Specifically, the Department is
30 requested to calculate the Average Teacher Salary amount using the National
31 Education Association definitions for Average Salary for Classroom Teachers.
32 The Arkansas Department of Education shall report on the feasibility of this
33 action to the House and Senate Committees on Education by February 1, 2007.

34
35 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY

1 FORWARD. Any unexpended balance of monies allocated for the Arkansas Better
2 Chance for School Success Program remaining on June 30, 2008 and June 30,
3 2009, in the Department of Education Public School Fund Account shall be
4 designated and retained for the Arkansas Better Chance for School Success
5 Program.

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

8 (1) Prior to June 30, 2008 and June 30, 2009 the Agency shall by written
9 statement set forth its reason(s) for the need to carry forward said
10 appropriation and/or funding to the Department of Finance and Administration
11 Office of Budget;

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

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

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

36 The provisions of this section shall be in effect only from July 1, 2007

1 through June 30, 2009.

2
3 SECTION 28. Arkansas Code §6-17-1117(B) is hereby repealed.
4 ~~(B) Notwithstanding the special language provision in the department's~~
5 ~~appropriation act granting transfer authority or any other law to the~~
6 ~~contrary, appropriation and funding provided for the purposes of this section~~
7 ~~shall not be transferred by the department for any other purpose.~~

8
9 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
10 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.
11 FUNDING TRANSFERS.

12 (a) On July 1, 2007 the Chief Fiscal Officer of the State shall
13 transfer on his books and those of the State Treasurer and the State Auditor,
14 twenty-one million seven hundred three thousand seven hundred ninety dollars
15 (\$21,703,790) from the General Revenue Allotment Reserve Fund to the
16 Department of Education Public School Fund Account for the purpose of funding
17 the Ninety-eight Percent (98%) Uniform Rate of Tax (URT) Actual Collection
18 Adjustment for fiscal year 2007-08 and fiscal year 2008-09 as appropriated
19 herein.

20 (b) The Department of Education shall create a sub-fund within the
21 Department of Education Public School Fund Account to receive this transfer
22 of twenty-one million seven hundred three thousand seven hundred ninety
23 dollars (\$21,703,790) from the General Revenue Allotment Reserve Fund, and
24 shall use these funds exclusively for the payment of the 98% URT Actual
25 Collection Adjustment and the study of the implementation of the 98% URT
26 Actual Collection Adjustment.

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

1
2 SECTION 31. LEGISLATIVE INTENT. It is the intent of the General Assembly
3 that any funds disbursed under the authority of the appropriations contained
4 in this act shall be in compliance with the stated reasons for which this act
5 was adopted, as evidenced by the Agency Requests, Executive Recommendations
6 and Legislative Recommendations contained in the budget manuals prepared by
7 the Department of Finance and Administration, letters, or summarized oral
8 testimony in the official minutes of the Arkansas Legislative Council or
9 Joint Budget Committee which relate to its passage and adoption.

10
11 SECTION 32. EMERGENCY CLAUSE. It is found and determined by the General
12 Assembly, that the Constitution of the State of Arkansas prohibits the
13 appropriation of funds for more than a two (2) year period; that the
14 effectiveness of this Act on July 1, 2007 is essential to the operation of
15 the agency for which the appropriations in this Act are provided, and that in
16 the event of an extension of the Regular Session, the delay in the effective
17 date of this Act beyond July 1, 2007 could work irreparable harm upon the
18 proper administration and provision of essential governmental programs.
19 Therefore, an emergency is hereby declared to exist and this Act being
20 necessary for the immediate preservation of the public peace, health and
21 safety shall be in full force and effect from and after July 1, 2007.

22
23 */s/ Joint Budget Committee*
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