

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: S3/5/07 S3/19/07 S3/21/07

A Bill

SENATE BILL 262

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF EDUCATION
16 APPROPRIATION FOR THE 2007-2009
17 BIENNIUM.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Education for the 2007-2009 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	2007-2008	2008-2009
(1)	9945	COMMISSIONER OF EDUCATION	1	\$212,770	\$217,025
(2)	9952	DEPUTY COMMISSIONER OF EDUCATION	1	\$130,380	\$132,987
(3)	9508	ADE SPECIAL ASSISTANT	1	\$92,542	\$94,392
(4)	9502	ASST COMM, RESEARCH & TECH	1	\$92,542	\$94,392
(5)	9501	ASST COMM, FISCAL & ADMIN SVCS	1	\$92,542	\$94,392
(6)	9484	DIR, DIV OF PUB SCHL ACCOUNTABILITY	1	\$92,542	\$94,392
(7)	9483	ASST. COMM. LEARNING SERVICES	1	\$92,542	\$94,392
(8)	9482	ASST. COMM. HUMAN RESOURCES	1	\$92,542	\$94,392
(9)	9039	ED DIR OF COMMUNICATIONS	1	\$68,120	\$69,482
(10)	9513	PSYCHOMETRICIAN	1	\$88,908	\$90,686
(11)	9509	ADE SPECIAL ADVISOR	1	\$85,391	\$87,098
(12)	9277	ADE LITIGATION ATTORNEY	1	\$85,391	\$87,098
(13)	9511	ADE COORD SCH. IMP / STANDARDS ASSU	1	\$78,514	\$80,084
(14)	9510	ADE COORDINATOR SPECIAL PROGRAMS	1	\$78,514	\$80,084
(15)	9844	ADE COORD FISCAL DISTRESS	1	\$71,392	\$72,820
(16)	9512	ADE COORDINATOR OF SPECIAL PROJECTS	1	\$68,120	\$69,482
(17)	938Z	ED ASSOC DIR PROF DEVELOPMENT	1		GRADE 26
(18)	031Z	ED LEGAL ASST TO DIRECTOR	1		GRADE 26
(19)	213Z	ED LEAD PLNR FOR DESEGREG MONITOR	1		GRADE 26
(20)	216Z	ED ASSOC DIR FOR SPECIAL EDUCATION	1		GRADE 26
(21)	217Z	ASSOC DIR STUDENT SUPPORT SERVICES	1		GRADE 26
(22)	221Z	ED ASSOC DIR FINANCE	1		GRADE 26
(23)	R005	ED ASSISTANT TO DIRECTOR	1		GRADE 26
(24)	R170	ATTORNEY SPECIALIST	3		GRADE 25
(25)	A046	AGENCY CONTROLLER - LARGE/COMPLEX A	1		GRADE 25
(26)	066Z	EDUCATION COMMUNICATION MGR	1		GRADE 24
(27)	R069	ED STATISTICAL ANALYST & RESEARCHER	1		GRADE 24
(28)	R135	ED COORD RESEARCH & STATISTICS	1		GRADE 24
(29)	R036	ATTORNEY	1		GRADE 24
(30)	R063	EDUCATION CURRICULUM SUPERVISOR	3		GRADE 23
(31)	R067	EDUCATION RESEARCH SPECIALIST	1		GRADE 23
(32)	D080	APPLICATIONS & SYSTEMS MANAGER	1		GRADE 23
(33)	E032	ED ACCOUNTABILITY PROGRAM COORD	1		GRADE 23
(34)	055Z	DP MANAGER	1		GRADE 23

1	(35)	227Z	ED COORD CHAPTER I PROGRAMS	1	GRADE 23
2	(36)	233Z	ED DIR CHILD NUTRITION PROGRAMS	1	GRADE 23
3	(37)	237Z	ED COORD SPECIAL EDUCATION	1	GRADE 23
4	(38)	238Z	ED COORD TEACHER EDUC, CERT & TEST	1	GRADE 23
5	(39)	836Z	COORDINATOR OF CHAPTER II	1	GRADE 23
6	(40)	062Z	ED PERSONNEL MANAGER	1	GRADE 22
7	(41)	909Z	PROGRAM SUPPORT MANAGER	26	GRADE 22
8	(42)	A047	GENERAL FINANCE COORDINATOR	4	GRADE 22
9	(43)	D124	LEAD PROGRAMMER/ANALYST	1	GRADE 22
10	(44)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22
11	(45)	R031	ED SUPERVISOR MIGRANT EDUCATION	1	GRADE 22
12	(46)	V042	GENERAL SERVICES MANAGER	1	GRADE 22
13	(47)	R288	PUBLIC SCHOOL ADMIN ADVISOR	53	GRADE 21
14	(48)	R290	PUBLIC SCHOOL PROGRAM ADVISOR	75	GRADE 21
15	(49)	R028	ED PROGRAM ANALYST	12	GRADE 21
16	(50)	D036	SR PROGRAMMER/ANALYST	2	GRADE 21
17	(51)	E028	ED PROGRAM ADMINISTRATOR	4	GRADE 21
18	(52)	D123	APPLICATIONS & SYSTEMS ANALYST	5	GRADE 21
19	(53)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
20	(54)	A056	INTERNAL AUDITOR	1	GRADE 20
21	(55)	E035	ADE FINANCIAL ANALYST	4	GRADE 20
22	(56)	R133	AGENCY DIRECTOR RESEARCH & STATS	2	GRADE 20
23	(57)	V005	ED SUPERVISOR SPECIAL SERVICES	1	GRADE 20
24	(58)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE 20
25	(59)	R168	GRANTS COORDINATOR II	3	GRADE 19
26	(60)	R204	PARALEGAL/LEGAL ASSISTANT	1	GRADE 19
27	(61)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
28	(62)	A110	ACCOUNTANT II	5	GRADE 19
29	(63)	A111	ACCOUNTANT	2	GRADE 18
30	(64)	E072	TRAINING INSTRUCTOR	1	GRADE 18
31	(65)	G028	BLDG PLANT MAINTENANCE SUPV II	2	GRADE 18
32	(66)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
33	(67)	G161	GENERAL MAINTENANCE REPAIRMAN	1	GRADE 17
34	(68)	R010	ADMINISTRATIVE ASSISTANT II	27	GRADE 17
35	(69)	R190	PERSONNEL OFFICER II	1	GRADE 17
36	(70)	R009	ADMINISTRATIVE ASSISTANT I	7	GRADE 15

1	(71)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
2	(72)	A063	PAYROLL OFFICER	1	GRADE 15
3	(73)	A108	ACCOUNTING TECHNICIAN II	5	GRADE 15
4	(74)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	1	GRADE 15
5	(75)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
6	(76)	K153	SECRETARY II	39	GRADE 13
7	(77)	D003	COMPUTER OPERATOR I	1	GRADE 13
8	(78)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
9	(79)	K039	DOCUMENT EXAMINER II	2	GRADE 12
10	(80)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
11	(81)	K155	SECRETARY I	4	GRADE 11
12	(82)	T043	SECURITY OFFICER I	<u>1</u>	GRADE 11
13			MAX. NO. OF EMPLOYEES	358	

14

15 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for
 16 the Department of Education - State Operations for the 2007-2009 biennium,
 17 the following maximum number of part-time or temporary employees, to be known
 18 as "Extra Help", payable from funds appropriated herein for such purposes:
 19 eight (8) temporary or part-time employees, when needed, at rates of pay not
 20 to exceed those provided in the Uniform Classification and Compensation Act,
 21 or its successor, or this act for the appropriate classification.

22

23 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 24 to the Department of Education, to be payable from the Department of
 25 Education Fund Account, for personal services and operating expenses of the
 26 Department of Education - State Operations for the biennial period ending
 27 June 30, 2009, the following:

28

29	ITEM	FISCAL YEARS	
30	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
31	(01) REGULAR SALARIES	\$ 11,626,086	\$ 11,857,258
32	(02) EXTRA HELP	64,998	64,998
33	(03) PERSONAL SERVICES MATCHING	3,630,090	3,680,426
34	(04) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSE	4,102,370	4,090,770
36	(B) CONF. & TRAVEL	209,030	209,030

1	(C) PROF. FEES	1,061,263	1,061,263
2	(D) CAP. OUTLAY	100,000	100,000
3	(E) DATA PROC.	718,732	718,732
4	(05) READING RECOVERY	100,000	100,000
5	(06) AR LEADERSHIP ACADEMY	900,000	900,000
6	(07) COMPACT EDUC RESEARCH & DEV	<u>15,000</u>	<u>15,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 22,527,569</u>	<u>\$ 22,797,477</u>

8

9 SECTION 4. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. There is hereby
 10 appropriated, to the Department of Education, to be payable from the federal
 11 funds as designated by the Chief Fiscal Officer of the State, for personal
 12 services and operating expenses of the Department of Education - Federal
 13 Grants Administration for the biennial period ending June 30, 2009, the
 14 following:

15

16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
18	(01) REGULAR SALARIES	\$ 388,890	\$ 396,664
19	(02) PERSONAL SERVICES MATCHING	118,029	119,716
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	49,970	49,970
22	(B) CONF. & TRAVEL	19,672	19,672
23	(C) PROF. FEES	60,000	60,000
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	<u>0</u>	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 636,561</u>	<u>\$ 646,022</u>

27

28 SECTION 5. APPROPRIATION - BUILDING MAINTENANCE. There is hereby
 29 appropriated, to the Department of Education, to be payable from the
 30 Educational Building Revenue Bond Fund, for operating expenses of the
 31 Department of Education - Building Maintenance for the biennial period ending
 32 June 30, 2009, the following:

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34	ITEM	FISCAL YEARS	
35	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
36	(01) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	\$	500,000	\$	500,000
2	(B) CONF. & TRAVEL		0		0
3	(C) PROF. FEES		0		0
4	(D) CAP. OUTLAY		0		0
5	(E) DATA PROC.		<u>0</u>		<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	\$	<u>500,000</u>	\$	<u>500,000</u>

7
 8 SECTION 6. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There is
 9 hereby appropriated, to the Department of Education, to be payable from the
 10 Education Revolving Loan Certificates Fund, for personal services and
 11 operating expenses of the Department of Education - Revolving Loan
 12 Certificates Program for the biennial period ending June 30, 2009, the
 13 following:

15	ITEM		FISCAL YEARS	
16	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>
17	(01) REGULAR SALARIES	\$	88,560	\$ 90,330
18	(02) PERSONAL SERVICES MATCHING		31,825	32,210
19	(03) MAINT. & GEN. OPERATION			
20	(A) OPER. EXPENSE		27,500	27,500
21	(B) CONF. & TRAVEL		2,500	2,500
22	(C) PROF. FEES		10,000	10,000
23	(D) CAP. OUTLAY		0	0
24	(E) DATA PROC.		0	0
25	(04) LOANS TO SCHOOL DISTRICTS		<u>13,000,000</u>	<u>13,000,000</u>
26	TOTAL AMOUNT APPROPRIATED	\$	<u>13,160,385</u>	\$ <u>13,162,540</u>

27
 28 SECTION 7. APPROPRIATION - CHILD NUTRITION PROGRAM. There is hereby
 29 appropriated, to the Department of Education, to be payable from the federal
 30 funds as designated by the Chief Fiscal Officer of the State, for personal
 31 services and operating expenses of the Department of Education - Child
 32 Nutrition Program for the biennial period ending June 30, 2009, the
 33 following:

35	ITEM		FISCAL YEARS	
36	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>

1	(01) REGULAR SALARIES	\$ 567,144	\$ 578,480
2	(02) PERSONAL SERVICES MATCHING	186,126	188,589
3	(03) MAINT. & GEN. OPERATION		
4	(A) OPER. EXPENSE	393,100	393,100
5	(B) CONF. & TRAVEL	52,600	52,600
6	(C) PROF. FEES	156,400	156,400
7	(D) CAP. OUTLAY	40,000	40,000
8	(E) DATA PROC.	28,000	28,000
9	(04) SCHOOL FOOD SERVICE/NUTRITION ED	163,680,000	165,168,000
10	(05) REFUNDS/REIMBURSEMENTS	<u>396,000</u>	<u>399,600</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$ 165,499,370</u>	<u>\$ 167,004,769</u>

12

13 SECTION 8. APPROPRIATION - FEDERAL TURNBACK PROGRAM. There is hereby
 14 appropriated, to the Department of Education, to be payable from the federal
 15 funds as designated by the Chief Fiscal Officer of the State, for federal
 16 turnback to school districts of the Department of Education - Federal
 17 Turnback Program for the biennial period ending June 30, 2009, the following:

18

19	ITEM	FISCAL YEARS	
20	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
21	(01) FEDERAL TURNBACK	<u>\$ 11,000,000</u>	<u>\$ 11,000,000</u>

22

23 SECTION 9. EXTRA HELP - FEDERAL ELEMENTARY AND SECONDARY EDUCATION. There
 24 is hereby authorized, for the Department of Education - Federal Elementary
 25 and Secondary Education for the 2007-2009 biennium, the following maximum
 26 number of part-time or temporary employees, to be known as "Extra Help",
 27 payable from funds appropriated herein for such purposes: four (4) temporary
 28 or part-time employees, when needed, at rates of pay not to exceed those
 29 provided in the Uniform Classification and Compensation Act, or its
 30 successor, or this act for the appropriate classification.

31

32 SECTION 10. APPROPRIATION - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.
 33 There is hereby appropriated, to the Department of Education, to be payable
 34 from the federal funds as designated by the Chief Fiscal Officer of the
 35 State, for personal services and operating expenses of the Department of
 36 Education - Federal Elementary and Secondary Education for the biennial

1 period ending June 30, 2009, the following:

2			
3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
5	(01) REGULAR SALARIES	\$ 2,802,890	\$ 2,858,916
6	(02) EXTRA HELP	10,000	10,000
7	(03) PERSONAL SERVICES MATCHING	894,875	907,043
8	(04) MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE	3,455,900	3,455,900
10	(B) CONF. & TRAVEL	710,500	710,500
11	(C) PROF. FEES	18,351,105	18,351,105
12	(D) CAP. OUTLAY	160,000	160,000
13	(E) DATA PROC.	86,000	86,000
14	(05) ENTITLEMENT GRANT PROGRAMS	491,626,040	496,095,368
15	(06) REFUNDS/REIMBURSEMENTS	<u>1,100,000</u>	<u>1,110,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 519,197,310</u>	<u>\$ 523,744,832</u>

17

18 SECTION 11. APPROPRIATION - MULTIPLE GRANT AWARD PROGRAM. There is hereby
 19 appropriated, to the Department of Education, to be payable from the cash
 20 fund deposited in the State Treasury as determined by the Chief Fiscal
 21 Officer of the State, for operating expenses and grants of the Department of
 22 Education - Multiple Grant Award Program for the biennial period ending June
 23 30, 2009, the following:

24

25	ITEM	FISCAL YEARS	
26	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
27	(01) MAINT. & GEN. OPERATION		
28	(A) OPER. EXPENSE	\$ 122,000	\$ 122,000
29	(B) CONF. & TRAVEL	16,500	16,500
30	(C) PROF. FEES	40,000	40,000
31	(D) CAP. OUTLAY	0	0
32	(E) DATA PROC.	0	0
33	(02) MULTIPLE GRANT AWARDS	<u>2,447,875</u>	<u>2,447,875</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,626,375</u>	<u>\$ 2,626,375</u>

35

36 SECTION 12. APPROPRIATION - MEDICAID REIMBURSEMENT PROGRAM. There is

1 hereby appropriated, to the Department of Education, to be payable from the
 2 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 3 Officer of the State, for Medicaid reimbursement and administration of the
 4 Department of Education - Medicaid Reimbursement Program for the biennial
 5 period ending June 30, 2009, the following:

7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
9 (01) REFUNDS/REIMBURSEMENTS	\$ 5,000,000	\$ 5,000,000
10 (02) MEDICAID ADMIN	<u>10,500</u>	<u>10,500</u>
11 TOTAL AMOUNT APPROPRIATED	<u>\$ 5,010,500</u>	<u>\$ 5,010,500</u>

12
 13 SECTION 13. APPROPRIATION - ALTERNATIVE CERTIFICATION PROGRAM. There is
 14 hereby appropriated, to the Department of Education, to be payable from the
 15 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 16 Officer of the State, for operating expenses and grants of the Department of
 17 Education - Alternative Certification Program for the biennial period ending
 18 June 30, 2009, the following:

20 ITEM	FISCAL YEARS	
21 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
22 (01) MAINT. & GEN. OPERATION		
23 (A) OPER. EXPENSE	\$ 794,866	\$ 802,092
24 (B) CONF. & TRAVEL	0	0
25 (C) PROF. FEES	45,200	45,620
26 (D) CAP. OUTLAY	0	0
27 (E) DATA PROC.	0	0
28 (02) ALT. CERT. PROG. GRANTS AND AID	<u>200,000</u>	<u>200,000</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,040,066</u>	<u>\$ 1,047,712</u>

30
 31 SECTION 14. APPROPRIATION - FISH AND WILDLIFE CONSERVATION. There is
 32 hereby appropriated, to the Department of Education, to be payable from the
 33 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 34 Officer of the State, for grants for school education programs for fish and
 35 wildlife conservation of the Department of Education - Fish and Wildlife
 36 Conservation for the biennial period ending June 30, 2009, the following:

1

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) FISH/WILDLIFE CONSERVATION GRANTS	\$ <u>700,000</u>	\$ <u>700,000</u>

5

SECTION 15. APPROPRIATION - CASH FUNDS - CONFERENCES. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of conferences sponsored by the Department of Education for the biennial period ending June 30, 2009, the following:

12

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 400,000	\$ 400,000
(B) CONF. & TRAVEL	25,000	25,000
(C) PROF. FEES	50,000	50,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>475,000</u>	\$ <u>475,000</u>

22

SECTION 16. APPROPRIATION - SCHOOL DISTRICT MILLAGE ROLLBACK COMPENSATION. There is hereby appropriated, to the Department of Education, to be payable from the Property Tax Relief Trust Fund, to compensate various school districts for Amendment 79 millage rollback for the biennial period ending June 30, 2009, the following:

28

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) AMENDMENT 79 MILLAGE ROLLBACK COMPENSATION TO SCHOOL DISTRICTS	\$ <u>950,000</u>	\$ <u>950,000</u>

33

SECTION 17. APPROPRIATION - MEDICAID ADMINISTRATION CLAIMING PROGRAM. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief

36

1 Fiscal Officer of the State, for reimbursement of school districts for
2 administrative activities that support the Arkansas Medicaid Program of the
3 Department of Education - Medicaid Administration Claiming Program for the
4 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) AR MEDICAID ADMIN CLAIMS	\$ 15,000,000	\$ 15,000,000

9
10 SECTION 18. APPROPRIATION - NATIONAL GOVERNORS ASSOCIATION HONOR STATES
11 GRANT PROGRAM. There is hereby appropriated, to the Department of Education,
12 to be payable from the cash fund deposited in the State Treasury as
13 determined by the Chief Fiscal Officer of the State, for operating expenses
14 and grants of the Department of Education - National Governors Association
15 Honor States Grant Program for the biennial period ending June 30, 2009, the
16 following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) NGA HONOR STATES GRANT	\$ 500,000	\$ 0

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22 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 EQUALIZATION OF PERSONAL PROPERTY MILLAGE. (A) Amendment 79 of the
25 Constitution of the State of Arkansas provides that school district millage
26 must be equal for all classes of property and several school districts now
27 have unequalized millage on real and personal property. The Arkansas
28 Department of Education and the Assessment Coordination Department are hereby
29 authorized to identify those school districts which are affected by the
30 Amendment 79 provision to equalize millage and calculate the loss in revenues
31 due to the equalization of the millage. Loss in revenue shall be defined as
32 the difference between the collectable taxes calculated by multiplying the
33 current assessment times the pre-equalized mills and the current assessment
34 times post-equalized mills.
35 (B) School districts shall receive funding authorized herein equal to the
36 loss in revenues as calculated by the Arkansas Department of Education and

1 the Assessment Coordination Department.

2 (C) Funding received by school districts pursuant to this act shall be
3 considered unrestricted revenues to those districts, ~~and shall be included in~~
4 ~~the calculation of total state and local revenues of each district.~~

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 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TURNBACK
10 FUNDS. Any Federal Mineral Leasing Funds, Federal Forest Reserve Funds,
11 Federal Flood Control Funds, or any similar turnback funds in the State
12 Treasury for which the eligible county and/or school district cannot be
13 identified may be transferred to the Department of Education Public School
14 Fund Account and used for any lawful school purpose.

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 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~YEAR-END~~
20 ~~FUND BALANCE.~~ CARRY FORWARD. Notwithstanding any law pertaining to the
21 transfer of year-end fund balances or any law to the contrary, any funds
22 which remain in the Department of Education Fund Account at the end of a
23 fiscal year shall remain in the Department of Education Fund Account and made
24 available to fund appropriation authorized by law and made payable from the
25 Department of Education Fund Account for the following fiscal year.

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

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

31 (2) The Department of Finance and Administration Office of Budget shall
32 report to the Arkansas Legislative Council all amounts carried forward from
33 the first fiscal year of the biennium to the second fiscal year of the
34 biennium by the September Arkansas Legislative Council or Joint Budget
35 Committee meeting in the second fiscal year of the biennial period which
36 report shall include the name of the Agency, Board, Commission or Institution

1 and the amount of the appropriation and/or funding carried forward from the
2 first fiscal year to the second fiscal year, the program name or line item,
3 the funding source of that appropriation and a copy of the written request
4 set forth in (1) above;

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

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

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

19
20 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY OF
22 THE ~~DIRECTOR~~ COMMISSIONER OF THE DEPARTMENT OF EDUCATION. It is the intent of
23 the General Assembly that the appropriation for the salary of the ~~Director~~
24 Commissioner of the Department of Education shall be the sole and exclusive
25 authority for his or her salary. It is further the intent of the General
26 Assembly that the ~~Director~~ Commissioner be required to devote all of his or
27 her working time exclusively to the performance of his or her duties as
28 ~~Director~~ Commissioner of the Department of Education. Therefore, the
29 ~~Director~~ Commissioner of the Department of Education is hereby prohibited
30 from accepting any additional salary from any other source (including state,
31 federal, or private entities or persons) for the performance of his or her
32 duties as ~~Director~~ Commissioner, and is prohibited from accepting any salary,
33 fees or compensation from any other source (including state, federal or
34 private entities or persons) for any other employment of any kind outside the
35 scope of his or her duties as ~~Director~~ Commissioner, including but not
36 limited to consulting work for any other public or private entity. This

1 section shall not be construed to prohibit the ~~Director~~ Commissioner from
2 accepting or receiving expense reimbursements and employee benefits as
3 provided by State law.
4

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

7 ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from
8 statewide education issues and the necessity of recruiting and retaining
9 qualified personnel, the Arkansas Department of Education or its successor
10 agency is authorized for the ~~2005-2007~~ 2007-2009 biennium a pool of twenty
11 five (25) non-classified positions at a maximum salary level not to exceed
12 one hundred twenty five thousand dollars (\$125,000) per year. These positions
13 are to be used by the Department of Education in the event that the personal
14 services needs of the Department during the ~~2005-2007~~ 2007-2009 biennium
15 require additional positions, either by title or in number, that are not
16 authorized by the General Assembly in Section 1 of this Act. These positions
17 may also be used to properly classify positions when the Department does not
18 have a vacant position available with the appropriate title and salary level.

19 (b) To address needs emerging from statewide education issues and the
20 necessity of recruiting and retaining qualified personnel, the Arkansas
21 Department of Education or its successor agency is authorized for the ~~2005-~~
22 ~~2007~~ 2007-2009 biennium a pool of twenty five (25) classified positions at up
23 to a grade twenty six (26). These positions are to be used by the Department
24 of Education in the event that the personal services needs of the Department
25 during the ~~2005-2007~~ 2007-2009 biennium require additional positions, either
26 by classification or in number, that are not authorized by the General
27 Assembly in Section 1 of this Act. These positions may also be used to
28 properly classify positions when the Department does not have a vacant
29 position available with the appropriate title and grade level.

30 (c) Any salary determinations or adjustments administered under the
31 provisions of Subsections (a) and (b) of this Section shall be made by
32 comparing the qualifications and salary levels of similar employees in school
33 districts or in other state education agencies.

34 (d) The Department of Education is authorized to access the pool positions
35 authorized in this Section at any time during the biennium when it is
36 determined by the ~~Director~~ Commissioner that the need exists. The ~~Director~~

1 Commissioner shall provide a quarterly report of the justification for the
2 need to allocate titles from this growth pool to the Chief Fiscal Officer of
3 the State and to the Arkansas Legislative Council for review. The report
4 shall also include an accounting of the names, titles, and salaries of
5 personnel whose salaries have been adjusted under provisions of Subsections
6 (a) and (b) of this Section.

7 (e) If the Department of Education requests continuation of any "Position
8 Pool" position(s) as established herein during the next biennium, the
9 position(s) must be requested as a new position(s) in the agency's biennial
10 budget request.

11 (f) Determining the number of personnel to be employed by a state agency is
12 the prerogative of the General Assembly and is usually accomplished by
13 delineating the maximum number of personnel by identifying job titles and the
14 maximum grade or salary attached to those titles. The General Assembly has
15 determined that the Arkansas Department of Education could be operated more
16 efficiently if some flexibility is given to that agency. That flexibility is
17 being accomplished by providing a position pool in Subsections (a) and (b) of
18 this Section and since the General Assembly has granted the agency broad
19 powers under the growth pool concept, it is both necessary and appropriate
20 that the General Assembly maintain oversight of the utilization of the
21 position pool by requiring review of the Legislative Council in the
22 utilization of the position pool. Therefore, the requirement of review by the
23 Legislative Council is not a severable part of this section. If the
24 requirement of review by the Legislative Council is ruled unconstitutional by
25 a court of competent 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.

28
29 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

31 EXCEPTIONS TO MAXIMUM SALARY LEVELS. In order that qualified education
32 personnel may be recruited and retained, the Department of Education may
33 exceed the maximum salary levels set out in dollars in Section 1 of this Act
34 by no more than twenty-five percent (25%) for the following positions
35 authorized in Section 1 of this Act:

36 9952 DEPUTY COMMISSIONER OF EDUCATION

1 9502 ASST COMMISSIONER, RESEARCH AND TECHNOLOGY
2 9501 ASST COMMISSIONER, FISCAL & ADMINISTRATIVE SERVICES
3 9482 ASST COMMISSIONER, HUMAN RESOURCES
4 9483 ASST COMMISSIONER, LEARNING SERVICES
5 9484 DIRECTOR, DIVISION OF PUBLIC SCHOOL ACCOUNTABILITY
6 9277 ADE LITIGATION ATTORNEY
7 9039 EDUCATION DIRECTOR OF COMMUNICATIONS

8 Any salary adjustments administered under the provisions of this Section
9 shall be determined by comparing the qualifications and salary levels of
10 similar employees in school districts or in other state education agencies.
11 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
12 through June 30, ~~2007~~ 2009.

13

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

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

25

26 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
28 LEADERSHIP ACADEMY. The funds appropriated in the "AR LEADERSHIP ACADEMY"
29 line item in Section ~~4~~ 3 of this Act shall be used ~~to implement~~ for the
30 School Support Program which will provide support to schools or school
31 districts designated by the Department of Education as being in school
32 improvement status and to provide for general operations of the Leadership
33 Academy.

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 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
2 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 LIMITATIONS AND REPORTING. Disbursement of funds authorized by Section 17 of
4 this Act shall be subject to the following limitations:

5 (1) No part of these funds shall be used to coerce, influence, or
6 provide incentive to local school districts to select or deselect a
7 Medicaid provider;

8 (2) The Department of Education shall report annually to the House and
9 Senate Public Health, Welfare and Labor Committees that the funds
10 are not being used in a manner prohibited by this Act and how they
11 are being expended;

12 (3) If any part of this section requires the state plan for the Arkansas
13 Medicaid Administration Claiming Program to be renegotiated with the
14 federal Centers for Medicare and Medicaid Services or would cause in
15 any way the loss of federal funds, this section shall be declared
16 void and be severed from this Act.

17
18 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
19 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

20 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
21 shall transfer on his books and those of the State Treasurer and the State
22 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
23 fiscal year, of the biennium from the Department of Education Public School
24 Fund Account to the University of Arkansas at Little Rock Fund, specifically
25 to provide funding for the Arkansas/STRIVE Program. The total amount of funds
26 transferred each fiscal year pursuant to this section shall not be subject to
27 any indirect costs by the University of Arkansas at Little Rock.

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

33 FUNDING TRANSFERS.

34 (a) On July 1, 2007 the Chief Fiscal Officer of the State shall
35 transfer on his books and those of the State Treasurer and the State Auditor,
36 twenty-one million seven hundred three thousand seven hundred ninety dollars

1 (\$21,703,790) from the General Revenue Allotment Reserve Fund to the
2 Department of Education Public School Fund Account for the purpose of funding
3 the Ninety-eight Percent (98%) Uniform Rate of Tax (URT) Actual Collection
4 Adjustment for fiscal year 2007-08 and fiscal year 2008-09 as appropriated
5 herein.

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

13 (c) The legislature is totally committed to insuring each school
14 district receives the amount of foundation funding provided for in Arkansas
15 Code §6-20-2305(a)(2)(A) and (B), regardless of the amount of revenue
16 collected by the counties. However, there is a genuine question concerning
17 the efficiency and effectiveness in the county collection process. House
18 Bill 1632 of 2007 contains a provision requiring the Division of Legislative
19 Audit to investigate and report proposed changes to the county collection
20 process. Based on these proposed efficiencies, the Legislature intends to
21 provide full general revenue funding for the 98% URT Actual Collection
22 Adjustment in the next biennium. The use of the General Revenue Allotment
23 Reserve Fund is a "bridge" providing full funding subject to a final decision
24 on collection improvements.

25 (d) Subsection (c) above shall also apply to the "Funding Transfers"
26 section of Special Language in Act 229 of 2007.

27
28 SECTION 30. Arkansas Code § 6-17-1117(b), concerning Department of
29 Education contributions to health insurance premiums for public school
30 employees, is amended to read as follows:

31 (b)(1)(A) The Department of Education shall pay the Employee Benefits
32 Division of the Department of Finance and Administration a minimum of sixty-
33 one dollars (\$61.00) per month for each eligible employee of a public school
34 district electing to participate in the public school employees' health
35 insurance program administered by the State and Public School Life and Health
36 Insurance Board.

1 (B) The Department of Education shall make the total contributions
 2 under subdivision (b)(1)(A) of this section by transferring thirty-five
 3 million dollars (\$35,000,000) to the division in eleven (11) equal monthly
 4 installments.

5 (2) The funds provided to the division under this subsection shall be
 6 administered by the board for the benefit of the employee participants of the
 7 public school employees' health insurance program.

8 (3)(A)~~(i)~~ In the event that appropriation or funding is not provided,
 9 the department shall not be responsible for the increased payments for the
 10 public school employee health insurance program as established by this
 11 section.

12 ~~(i)~~(B) If funding and appropriation are provided but are
 13 inadequate for the total number of employees electing to participate in the
 14 public school employees' health insurance program, the department shall pay a
 15 proportional share on behalf of each participant.

16 (C) If funding and appropriation are provided and exceed the amount
 17 needed to make the minimum contribution under subdivision (b)(1)(A), the
 18 department shall pay a proportional share of the excess on behalf of each
 19 participant.

20 ~~(B)~~(4) Notwithstanding the special language provision in the
 21 department's appropriation act granting transfer authority or any other law
 22 to the contrary, appropriation and funding provided for the purposes of this
 23 section shall not be transferred by the department for any other purpose.
 24

25 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The
 27 Special Language regarding "Health Insurance" as authorized in SECTION 23 of
 28 Act 229 of 2007 is amended to read as follows:
 29

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

1 School Employee Insurance each fiscal year shall be used to provide the
2 state contribution for insurance premiums for employees of the
3 Cooperative Education Services Areas, Vocational Centers, and the school
4 operated by the Department of Correction who participate in the Arkansas
5 Public School Life and Health Insurance Program.

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

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

13
14 SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
15 by this act shall be limited to the appropriation for such agency and funds
16 made available by law for the support of such appropriations; and the
17 restrictions of the State Procurement Law, the General Accounting and
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
19 Procedures and Restrictions Act, or their successors, and other fiscal
20 control laws of this State, where applicable, and regulations promulgated by
21 the Department of Finance and Administration, as authorized by law, shall be
22 strictly complied with in disbursement of said funds.

23
24 SECTION 33. LEGISLATIVE INTENT. It is the intent of the General Assembly
25 that any funds disbursed under the authority of the appropriations contained
26 in this act shall be in compliance with the stated reasons for which this act
27 was adopted, as evidenced by the Agency Requests, Executive Recommendations
28 and Legislative Recommendations contained in the budget manuals prepared by
29 the Department of Finance and Administration, letters, or summarized oral
30 testimony in the official minutes of the Arkansas Legislative Council or
31 Joint Budget Committee which relate to its passage and adoption.

32
33 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the General
34 Assembly, that the Constitution of the State of Arkansas prohibits the
35 appropriation of funds for more than a two (2) year period; that the
36 effectiveness of this Act on July 1, 2007 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the Regular Session, the delay in the effective
3 date of this Act beyond July 1, 2007 could work irreparable harm upon the
4 proper administration and provision of essential governmental programs.
5 Therefore, an emergency is hereby declared to exist and this Act being
6 necessary for the immediate preservation of the public peace, health and
7 safety shall be in full force and effect from and after July 1, 2007.

8
9 */s/ Joint Budget Committee*

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