

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 *As Engrossed: S3/5/07 S3/19/07 S3/21/07 S3/23/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

SENATE BILL 262

4

5 By: Joint Budget Committee

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For An Act To Be Entitled

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AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL

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SERVICES AND OPERATING EXPENSES FOR THE

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DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD

12

ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

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Subtitle

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AN ACT FOR THE DEPARTMENT OF EDUCATION

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APPROPRIATION FOR THE 2007-2009

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BIENNIUM.

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

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SECTION 1. REGULAR SALARIES. There is hereby established for the

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Department of Education for the 2007-2009 biennium, the following maximum

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number of regular employees whose salaries shall be governed by the

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provisions of the Uniform Classification and Compensation Act (Arkansas Code

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§§21-5-201 et seq.), or its successor, and all laws amendatory thereto.

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Provided, however, that any position to which a specific maximum annual

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salary is set out herein in dollars, shall be exempt from the provisions of

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said Uniform Classification and Compensation Act. All persons occupying

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positions authorized herein are hereby governed by the provisions of the

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Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),

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or its successor.

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Maximum Annual

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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	

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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.

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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:

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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>

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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:

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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>

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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:
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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>

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 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:
 34

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>

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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:

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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>

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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:

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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>

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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:

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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>

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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>

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 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>

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 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:

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

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:

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>

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:

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

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

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	<u>\$ 15,000,000</u>	<u>\$ 15,000,000</u>

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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	<u>\$ 500,000</u>	<u>\$ 0</u>

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22 SECTION 19. APPROPRIATION - PULASKI COUNTY DESEGREGATION CASE COSTS. *There*
23 *is hereby appropriated, to the Department of Education, to be payable from*
24 *the Department of Education Fund Account, for payment of consultants, expert*
25 *witnesses, attorneys' fees, or other costs related to investigating and*
26 *pursuing the end of the Pulaski County Desegregation Case, for the biennial*
27 *period ending June 30, 2009, the sum of\$1,500,000.*

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29 SECTION 20. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK -
30 "END TO END" SECURITY REVIEW/ASSESSMENT. *There is hereby appropriated, to the*
31 *Department of Education, to be payable from the Department of Education*
32 *Public School Fund Account, for professional fees and services for the*
33 *completion of an "End to End" Security Review and Security Assessment for the*
34 *Department of Education - Arkansas Public School Computer Network which shall*
35 *be supplemental and in addition to those funds appropriated in Section 3 of*
36 *Act 229 of 2007, the sum of\$300,000.*

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2 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
4 EQUALIZATION OF PERSONAL PROPERTY MILLAGE. (A) Amendment 79 of the
5 Constitution of the State of Arkansas provides that school district millage
6 must be equal for all classes of property and several school districts now
7 have unequalized millage on real and personal property. The Arkansas
8 Department of Education and the Assessment Coordination Department are hereby
9 authorized to identify those school districts which are affected by the
10 Amendment 79 provision to equalize millage and calculate the loss in revenues
11 due to the equalization of the millage. Loss in revenue shall be defined as
12 the difference between the collectable taxes calculated by multiplying the
13 current assessment times the pre-equalized mills and the current assessment
14 times post-equalized mills.

15 (B) School districts shall receive funding authorized herein equal to the
16 loss in revenues as calculated by the Arkansas Department of Education and
17 the Assessment Coordination Department.

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

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

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 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~YEAR-END~~
36 ~~FUND BALANCE.~~ CARRY FORWARD. Notwithstanding any law pertaining to the

1 transfer of year-end fund balances or any law to the contrary, any funds
2 which remain in the Department of Education Fund Account at the end of a
3 fiscal year shall remain in the Department of Education Fund Account and made
4 available to fund appropriation authorized by law and made payable from the
5 Department of Education Fund Account for the following fiscal year.

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 the Agency shall by written statement set
9 forth its reason(s) for the need to carry forward said appropriation and/or
10 funding to the Department of Finance and Administration Office of Budget;

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

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

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

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

35
36 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY OF
2 THE ~~DIRECTOR~~ COMMISSIONER OF THE DEPARTMENT OF EDUCATION. It is the intent of
3 the General Assembly that the appropriation for the salary of the ~~Director~~
4 Commissioner of the Department of Education shall be the sole and exclusive
5 authority for his or her salary. It is further the intent of the General
6 Assembly that the ~~Director~~ Commissioner be required to devote all of his or
7 her working time exclusively to the performance of his or her duties as
8 ~~Director~~ Commissioner of the Department of Education. Therefore, the
9 ~~Director~~ Commissioner of the Department of Education is hereby prohibited
10 from accepting any additional salary from any other source (including state,
11 federal, or private entities or persons) for the performance of his or her
12 duties as ~~Director~~ Commissioner, and is prohibited from accepting any salary,
13 fees or compensation from any other source (including state, federal or
14 private entities or persons) for any other employment of any kind outside the
15 scope of his or her duties as ~~Director~~ Commissioner, including but not
16 limited to consulting work for any other public or private entity. This
17 section shall not be construed to prohibit the ~~Director~~ Commissioner from
18 accepting or receiving expense reimbursements and employee benefits as
19 provided by State law.

20

21 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
23 ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from
24 statewide education issues and the necessity of recruiting and retaining
25 qualified personnel, the Arkansas Department of Education or its successor
26 agency is authorized for the ~~2005-2007~~ 2007-2009 biennium a pool of twenty
27 five (25) non-classified positions at a maximum salary level not to exceed
28 one hundred twenty five thousand dollars (\$125,000) per year. These positions
29 are to be used by the Department of Education in the event that the personal
30 services needs of the Department during the ~~2005-2007~~ 2007-2009 biennium
31 require additional positions, either by title or in number, that are not
32 authorized by the General Assembly in Section 1 of this Act. These positions
33 may also be used to properly classify positions when the Department does not
34 have a vacant position available with the appropriate title and salary level.
35 (b) To address needs emerging from statewide education issues and the
36 necessity of recruiting and retaining qualified personnel, the Arkansas

1 Department of Education or its successor agency is authorized for the 2005–
2 2007 2007-2009 biennium a pool of twenty five (25) classified positions at up
3 to a grade twenty six (26). These positions are to be used by the Department
4 of Education in the event that the personal services needs of the Department
5 during the ~~2005–2007~~ 2007-2009 biennium require additional positions, either
6 by classification or in number, that are not authorized by the General
7 Assembly in Section 1 of this Act. These positions may also be used to
8 properly classify positions when the Department does not have a vacant
9 position available with the appropriate title and grade level.

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

14 (d) The Department of Education is authorized to access the pool positions
15 authorized in this Section at any time during the biennium when it is
16 determined by the ~~Director~~ Commissioner that the need exists. The ~~Director~~
17 Commissioner shall provide a quarterly report of the justification for the
18 need to allocate titles from this growth pool to the Chief Fiscal Officer of
19 the State and to the Arkansas Legislative Council for review. The report
20 shall also include an accounting of the names, titles, and salaries of
21 personnel whose salaries have been adjusted under provisions of Subsections
22 (a) and (b) of this Section.

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

27 (f) Determining the number of personnel to be employed by a state agency is
28 the prerogative of the General Assembly and is usually accomplished by
29 delineating the maximum number of personnel by identifying job titles and the
30 maximum grade or salary attached to those titles. The General Assembly has
31 determined that the Arkansas Department of Education could be operated more
32 efficiently if some flexibility is given to that agency. That flexibility is
33 being accomplished by providing a position pool in Subsections (a) and (b) of
34 this Section and since the General Assembly has granted the agency broad
35 powers under the growth pool concept, it is both necessary and appropriate
36 that the General Assembly maintain oversight of the utilization of the

1 position pool by requiring review of the Legislative Council in the
2 utilization of the position pool. Therefore, the requirement of review by the
3 Legislative Council is not a severable part of this section. If the
4 requirement of review by the Legislative Council is ruled unconstitutional by
5 a court of competent jurisdiction, this entire section is void.

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

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

16 9952 DEPUTY COMMISSIONER OF EDUCATION

17 9502 ASST COMMISSIONER, RESEARCH AND TECHNOLOGY

18 9501 ASST COMMISSIONER, FISCAL & ADMINISTRATIVE SERVICES

19 9482 ASST COMMISSIONER, HUMAN RESOURCES

20 9483 ASST COMMISSIONER, LEARNING SERVICES

21 9484 DIRECTOR, DIVISION OF PUBLIC SCHOOL ACCOUNTABILITY

22 9277 ADE LITIGATION ATTORNEY

23 9039 EDUCATION DIRECTOR OF COMMUNICATIONS

24 Any salary adjustments administered under the provisions of this Section
25 shall be determined by comparing the qualifications and salary levels of
26 similar employees in school districts or in other state education agencies.

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

29

30 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
32 LEADERSHIP ACADEMY - REDUCTION OF FUNDS RESTRICTION. Upon determination by
33 the Department of Education that a reduction in the amount of available
34 appropriation within the Department of Education Fund Account is required
35 from the amount appropriated, the reduction in the available appropriation
36 from the full amount appropriated for the Arkansas Leadership Academy shall

1 be limited to the average percentage reduction in the other appropriations to
2 the Department of Education from the Department of Education Fund Account.

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

5
6 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 LEADERSHIP ACADEMY. The funds appropriated in the "AR LEADERSHIP ACADEMY"
9 line item in Section ~~4~~ 3 of this Act shall be used ~~to implement~~ for the
10 School Support Program which will provide support to schools or school
11 districts designated by the Department of Education as being in school
12 improvement status and to provide for general operations of the Leadership
13 Academy.

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

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

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

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

33
34 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
35 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

36 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State

1 shall transfer on his books and those of the State Treasurer and the State
2 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
3 fiscal year, of the biennium from the Department of Education Public School
4 Fund Account to the University of Arkansas at Little Rock Fund, specifically
5 to provide funding for the Arkansas/STRIVE Program. The total amount of funds
6 transferred each fiscal year pursuant to this section shall not be subject to
7 any indirect costs by the University of Arkansas at Little Rock.

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

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

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

29 (c) The legislature is totally committed to insuring each school
30 district receives the amount of foundation funding provided for in Arkansas
31 Code §6-20-2305(a)(2)(A) and (B), regardless of the amount of revenue
32 collected by the counties. However, there is a genuine question concerning
33 the efficiency and effectiveness in the county collection process. Act 272
34 of 2007 contains a provision requiring the Division of Legislative Audit to
35 investigate and report proposed changes to the county collection process.
36 Based on these proposed efficiencies, the Legislature intends to provide full

1 general revenue funding for the 98% URT Actual Collection Adjustment in the
2 next biennium. The use of the General Revenue Allotment Reserve Fund is a
3 "bridge" providing full funding subject to a final decision on collection
4 improvements.

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

7
8 SECTION 32. Arkansas Code § 6-17-1117(b), concerning Department of
9 Education contributions to health insurance premiums for public school
10 employees, is amended to read as follows:

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

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

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

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

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

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

36

1 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The
3 Special Language regarding "Health Insurance" as authorized in SECTION 23 of
4 Act 229 of 2007 is amended to read as follows:

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

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

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

25
26 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI
28 COUNTY DESEGREGATION CASE COSTS FUND TRANSFER - PUBLIC SCHOOL FUND.
29 Immediately upon the effective date of this Act, the Chief Fiscal Officer of
30 the State shall transfer on his or her books and those of the State Treasurer
31 and the Auditor of the State the sum of seven hundred fifty thousand dollars
32 (\$750,000) from the Department of Education Public School Fund Account to the
33 Department of Education Fund Account to provide funds for the appropriation
34 authorized in this Act for Pulaski County Desegregation Case Costs. On July
35 1, 2007 the Chief Fiscal Officer of the State may transfer to the Department
36 of Education Public School Fund Account an amount not to exceed seven hundred

1 fifty thousand dollars (\$750,000) from the Budget Stabilization Trust Fund if
2 the Department of Education Public School Fund Account balance is less than
3 twenty million dollars (\$20,000,000) on July 1, 2007.

4 No portion of the seven hundred fifty thousand dollars (\$750,000)
5 transferred by this Section to the Department of Education Fund Account for
6 Pulaski County Desegregation Case Costs shall be expended by the Department
7 of Education without certification by the Commissioner of the Department of
8 Education to the Chief Fiscal Officer of the State and prior approval by the
9 Chief Fiscal Officer of the State.

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

12
13 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI
15 COUNTY DESEGREGATION CASE COSTS FUND TRANSFER - EIGHTY-FIFTH SESSION PROJECTS
16 ACCOUNT. On July 1, 2007, the Chief Fiscal Officer shall transfer on his or
17 her books and those of the State Treasurer and the Auditor of State the sum
18 of one hundred ninety thousand dollars (\$190,000) from the Eighty-Fifth
19 Session Projects Account within the General Improvement Fund which was
20 authorized in Act 2315 of 2005 for state assistance to the City of
21 Jacksonville, Arkansas for costs associated with the construction, renovation
22 and equipping of a library and the sum of twenty thousand dollars (\$20,000)
23 from the Eighty-Fifth Session Projects Account within the General Improvement
24 Fund which was authorized in Act 2315 of 2005 for state assistance to the
25 City of Jacksonville, Arkansas to the Department of Education Fund Account to
26 provide funds exclusively for the appropriation authorized in this Act for
27 the Department of Education for the payment of Pulaski County Desegregation
28 Case Costs.

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

31
32 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
35 funding for Alternative Learning Environment Programs in excess of the
36 regulatory limitation of six (6) hours per day for those programs that

1 operate more than twelve hours per day, in a proportionate manner and upon
 2 special request to the Department of Education.

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

5
 6 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER
 8 HOUSING DEVELOPMENT FUNDING. The appropriation for Teacher Housing
 9 Development provided in Act 229 of 2007 shall be fully funded and reduced
 10 only proportionally for decreases in the Official General Revenue Forecast.

11
 12 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN-
 14 ENROLLMENT VIRTUAL CHARTER SCHOOL FUNDING RESTRICTIONS. The Special Language
 15 Section regarding "Charter School Funding Restrictions" in Section 24 of Act
 16 229 of 2007 is amended to read as follows:

17
 18 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
 19 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY
 20 LAW. ~~CHARTER SCHOOL FUNDING RESTRICTIONS.~~ OPEN-ENROLLMENT VIRTUAL
 21 CHARTER SCHOOL FUNDING RESTRICTIONS. ~~Regardless of any provision of~~
 22 ~~any law to the contrary, the Department of Education shall fund from~~
 23 ~~state monies only those charter schools which provide education~~
 24 ~~services in a traditional public school setting and, if the internet or~~
 25 ~~long distance learning technology is used, the internet or long-~~
 26 ~~distance learning technology is used as a supplement to the school's~~
 27 ~~traditional classroom setting.~~

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

30 (a) Regardless of any provision of law to the contrary, beginning
 31 with the 2007-2008 school year, no school district shall receive state
 32 funding for those students in the district's prior year three quarter
 33 average daily membership who were enrolled and attending a public
 34 school with an internet, long-distance or virtual technology curriculum
 35 based program which was not part of a public school district and the
 36 public school program was funded by a federal voluntary public school

1 choice grant administered by the Department of Education.

2 (b) Prior to July 1, 2007, the Department of Education shall
3 notify the Arkansas State Board of Education of the maximum number of
4 students that the State Board of Education shall allow to enroll and
5 attend any open-enrollment charter school that uses internet, long-
6 distance or virtual technology as the primary method of teaching. It
7 is the intent of this language that the Department shall not establish
8 and certify a number of students to the State Board of Education that
9 exceeds the number of students for which school districts were not able
10 to receive state funding because of the requirements of paragraph (a).
11 However, to the extent there are any revenue savings caused by the
12 closure of any open-enrollment charter school in existence on July 1,
13 2006, the State Board of Education may increase the maximum number of
14 students allowed to enroll and attend an internet, long-distance or
15 virtual technology open-enrollment charter school to the extent the
16 maximum number of students does not exceed five hundred (500) students.

17 (c) The provisions of this special language shall not restrict,
18 affect or impair any other provision of law or rule concerning public
19 school districts or public charter schools except as provided in
20 paragraph (a) and (b).

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

23
24
25 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
27 TRANSFER - "END TO END" SECURITY REVIEW/ASSESSMENT. Immediately upon the
28 effective date of this Act, the Chief Fiscal Officer of the State shall
29 transfer on his books and those of the State Treasurer and the Auditor of
30 State, the sum of three hundred thousand dollars (\$300,000) from the General
31 Revenue Allotment Reserve Fund to the Department of Education Public School
32 Fund Account. The amount transferred shall be used to provide funds for the
33 supplemental appropriation for the Arkansas Public School Computer Network -
34 "End to End" Security Review and Security Assessment provided in this Act.

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

1
2 SECTION 40. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
3 by this act shall be limited to the appropriation for such agency and funds
4 made available by law for the support of such appropriations; and the
5 restrictions of the State Procurement Law, the General Accounting and
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
7 Procedures and Restrictions Act, or their successors, and other fiscal
8 control laws of this State, where applicable, and regulations promulgated by
9 the Department of Finance and Administration, as authorized by law, shall be
10 strictly complied with in disbursement of said funds.

11
12 SECTION 41. LEGISLATIVE INTENT. It is the intent of the General Assembly
13 that any funds disbursed under the authority of the appropriations contained
14 in this act shall be in compliance with the stated reasons for which this act
15 was adopted, as evidenced by the Agency Requests, Executive Recommendations
16 and Legislative Recommendations contained in the budget manuals prepared by
17 the Department of Finance and Administration, letters, or summarized oral
18 testimony in the official minutes of the Arkansas Legislative Council or
19 Joint Budget Committee which relate to its passage and adoption.

20
21 SECTION 42. EMERGENCY CLAUSE. It is found and determined by the General
22 Assembly, that the Constitution of the State of Arkansas prohibits the
23 appropriation of funds for more than a two (2) year period; that the
24 effectiveness of this Act on July 1, 2007 is essential to the operation of
25 the agency for which the appropriations in this Act are provided, and that in
26 the event of an extension of the Regular Session, the delay in the effective
27 date of this Act beyond July 1, 2007 could work irreparable harm upon the
28 proper administration and provision of essential governmental programs.
29 Therefore, an emergency is hereby declared to exist and this Act being
30 necessary for the immediate preservation of the public peace, health and
31 safety shall be in full force and effect from and after July 1, 2007.

32
33 /s/ Joint Budget Committee
34
35
36