

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: S3/8/07

A Bill

SENATE BILL 54

5 By: Senator J. Jeffress
6
7

For An Act To Be Entitled

9 AN ACT CONCERNING CERTIFIED EMPLOYEE INCENTIVE
10 PAY PROGRAMS; AND FOR OTHER PURPOSES.
11

Subtitle

12 THE ARKANSAS TEACHER COMPENSATION EQUITY
13 ACT.
14
15
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 SECTION 1. NOT TO BE CODIFIED. This act shall be known as "The
20 Arkansas Teacher Compensation Equity Act".
21

22 SECTION 2. Arkansas Code Title 6, Chapter 18, Subchapter 1 is amended
23 to add an additional section to read as follows:

24 6-17-119. Incentive pay programs.

25 (a) As used in this section:

26 (1) "Certified employee" means a person employed by a public
27 school who is required to hold a license issued by the Arkansas Department of
28 Education;

29 (2) "Classified employee" means a person employed by a public
30 school district under a written annual contract who is not required to have a
31 teaching certificate issued by the Arkansas Department of Education as a
32 condition of employment; and

33 (3) "Incentive" means a salary amount that is in addition to the
34 amount paid in accordance with a public school district's salary schedule for
35 additional responsibilities, mastery of new knowledge and skills, advanced
36 career opportunities, increased student achievement, attracting highly



1 qualified teachers, and professional development exceeding state minimums.

2 (b) A public school district may offer or participate in an incentive
3 or pay-for-performance program to its certified employees, classified
4 employees, or both employee groups if:

5 (1) The program is implemented district-wide or on a school-by-
6 school basis;

7 (2) Every certified or classified employee is eligible to
8 participate in the program;

9 (3)(A) The program from the beginning is a collaborative effort
10 between the participating school board, administrators, teachers, classified
11 employees, association representatives, and the community.

12 (B) The school board, administrators, teachers, and
13 classified employees shall each approve a show of interest resolution in the
14 program by at least seventy-five percent (75%).

15 (C) All of the above groups including the community shall
16 be involved in the design, implementation, and evaluation of the program.

17 (D) The programs' personnel policies shall be promulgated
18 in accordance with § 6-17-201, et. seq., and §6-17-2301, et.seq., except to
19 the extent that those personnel policies are negotiable in any school
20 district that recognizes an organization representing a majority of teachers.

21 (4)(A) The program uses a variety of objective criteria that are
22 credible, clear, specific, measurable indicators of student achievement, and
23 generally accepted best practices to determine rewards; and

24 (B) No more than fifty percent (50%) of the program's
25 eligibility requirements or incentives shall be related to annual increases
26 in test scores;

27 (5)(A)(i) The program establishes a clear and flexible system of
28 incentives.

29 (ii) The incentive system may not be arbitrary.

30 (B) The incentives shall be at least five percent (5%) to
31 ten percent (10%) of the base salary and receivable in one year;

32 (6) The program has an established and ongoing support system
33 for the participants with the necessary financial and administrative
34 resources to successfully carry the program through;

35 (7) The program is aligned and linked to each school's Arkansas
36 Comprehensive School Improvement Plan;

1 (8) The program is part of a larger set of reforms rather than
2 an isolated approach to improving performance or rewarding certain certified
3 or classified employees; and

4 (9) Each group identified in subdivision (a)(3)(B) approves the
5 finalized program by:

6 (A) At least a seventy percent (70%) majority; or

7 (B) Another percentage previously agreed upon in writing
8 between a school board and an organization representing a majority of the
9 teachers.

10 (c) The Arkansas Department of Education shall promulgate the rules
11 necessary for the proper implementation of this act.

12
13 /s/ J. Jeffress
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36