

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

A Bill

SENATE BILL 774

4
5 By: Senator Crumbly
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For An Act To Be Entitled

9 AN ACT TO PROVIDE INCENTIVES FOR TEACHER
10 RECRUITMENT AND RETENTION IN HIGH-PRIORITY SCHOOL
11 DISTRICTS; TO EQUALIZE TEACHER SALARIES BETWEEN
12 HIGH-PRIORITY SCHOOL DISTRICTS AND HIGHER PAYING
13 SURROUNDING SCHOOL DISTRICTS IN ARKANSAS; AND FOR
14 OTHER PURPOSES.

Subtitle

16
17 AN ACT TO PROVIDE INCENTIVES FOR TEACHER
18 RECRUITMENT AND RETENTION AND TO
19 EQUALIZE TEACHER SALARIES IN HIGH-
20 PRIORITY SCHOOL DISTRICTS WITH
21 SURROUNDING HIGHER PAYING SCHOOL
22 DISTRICTS.
23
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. Arkansas Code § 6-17-811 is amended to read as follows:
28 6-17-811. Incentives for teacher recruitment and retention in high-
29 priority districts.

30 (a)(1) For purposes of this section:

31 (A) "Baseline fund balance" means the total fund balances
32 of a high-priority district if the district's fund balances on June 30, 2007,
33 exceed twenty percent (20%) of the district's unrestricted ending fund
34 balance as of June 30, 2007.

35 ~~(A)~~(B) "High-priority district" means a public school
36 district of one thousand (1,000) or fewer students in which eighty percent



(80%) or more of public school students are eligible for the free or reduced-price lunch program under the National School Lunch Act and have a three-quarter average daily membership of one thousand (1,000) or fewer for the ~~2003-2004~~ 2006-2007 school year;

~~(B)~~(C) "Previous year" means the school year immediately preceding the present school year; and

~~(C)~~(i)~~(D)~~(i) "Teacher" or "teachers" means ~~those~~ certified personnel who spend seventy percent (70%) of their time working directly with students in a classroom setting teaching all grade-level or subject-matter appropriate classes.

(ii) "Teacher" or "teachers" includes guidance counselors and librarians.

(2) The State Board of Education shall promulgate rules to determine high-priority districts of the state.

(b) Beginning in the 2007-2008 school year, the state shall provide funds to provide a high-priority district with incentives for teacher retention and recruitment under subsections (c) or (d) of this section.

~~(b)~~(c)(1) Beginning in the ~~2004-2005~~ 2007-2008 school year, a teacher licensed by the state board who teaches in a public school in a high-priority district shall receive in addition to all other salary and benefits:

~~(1)~~(A)(i) For new teachers, a one-time signing bonus to work in any high-priority district to be paid as follows:

~~(i)~~(a) Four thousand dollars (\$4,000) at the time a teacher not currently employed by the district signs a new contract to teach in a high-priority district; and

~~(i)~~(b) Three thousand dollars (\$3,000) at the beginning of each of the next two (2) subsequent years if the teacher continues teaching in the same high-priority district.

~~(B)~~(i)(ii)(a) If a teacher has received bonus pay under subdivision ~~(b)~~(1)~~(A)~~ (c)(1)(A)(i) of this section and leaves the high-priority district before the end of the three-year bonus pay period, the teacher shall pay back the amount of the bonus received in the previous year.

~~(i)~~(b) If the teacher leaves the high-priority district during the school year, the teacher shall pay back the previous year's bonus and the current year's bonus; and

~~(2)~~(A)(B)(i) For all teachers not newly signed to work in

the high-priority district, a retention bonus of two thousand dollars (\$2,000) shall be paid:

~~(i)~~(a) For the ~~2004-2005~~ 2007-2008 school year; and

~~(ii)~~(b) At the beginning of each of the next two (2) subsequent years if the teacher continues to work in a high-priority district.

~~(B)(i)(ii)(a)~~ If a teacher has received bonus pay under subdivision ~~(b)(2)(A)~~ (c)(1)(B)(i) of this section and voluntarily leaves the high-priority district before the end of the three-year bonus pay period, the teacher shall pay back on a pro-rata basis the amount of the bonus received in the previous ~~years~~ year.

~~(ii)~~(b) If the teacher voluntarily leaves the high-priority district during the school year, the teacher shall pay back the previous year's bonus and the current year's bonus.

~~(iii)(a)~~(c)(1) If a full-time-equivalent teacher is reassigned involuntarily to a position that is not eligible for bonus pay under this section or is dismissed involuntarily by a ~~school~~ high-priority district, the teacher shall not be required to repay the applicable bonus pay.

~~(b)(2)~~ The ~~school~~ high-priority district shall provide documentation to the Department of Education of the involuntary assignment or dismissal.

~~(iv)~~(d) If a teacher qualified to receive bonus pay under this section leaves the high-priority district due to a serious medical emergency, the teacher shall not be obligated to repay the bonus if the teacher provides a written statement from a licensed physician stating that the teacher is unable to work and must terminate his or her employment.

~~(e)(2)~~ Any bonus pay awarded under this ~~section~~ subsection (c) to eligible full-time-equivalent teachers who do not work the entire school year shall be pro rated based on the portion of the school year that the eligible teacher was employed by the high-priority ~~school~~ district.

(d)(1) As an alternative to the bonuses paid under subsection (c) of this section and in order to provide equity in teacher compensation, the salary schedule for a teacher employed by a high-priority district shall be

1 increased to match the highest-paying salary schedule of other public school
 2 districts:

3 (A) Within the county of the high-priority district; or

4 (B) Within a thirty-mile radius of the high school of the
 5 high-priority district.

6 (2) A salary increase under this subsection (d) shall be based
 7 on the salary schedules of the highest-paying public school district in place
 8 on June 30 of the previous year.

9 (3) Newly hired teachers shall be given the option upon
 10 employment to elect to be paid by the high-priority district under either
 11 this subsection (d) or under the high-priority district's regular teacher
 12 salary schedule.

13 (4)(A) If a newly hired teacher receives an increased salary
 14 under this subsection (d) and leaves the high-priority district before the
 15 end of three (3) years from the date of hire, the teacher shall pay back the
 16 amount of the salary increase received in the previous year and for the
 17 portion of a partial school year worked that exceeds the high-priority
 18 district's regular teacher salary schedule.

19 (B) If a teacher receives an increased salary under this
 20 subsection (d) leaves the high-priority district due to a serious medical
 21 emergency, the teacher shall not be obligated to repay the salary increase if
 22 the teacher provides a written statement from a licensed physician stating
 23 that the teacher is unable to work and must terminate his or her employment.

24 (5) A high-priority district that receives state funds to
 25 increase teacher salaries under this subsection (d) may not amend its salary
 26 schedule in effect on the effective date of this subsection (d) to:

27 (A) Lower the starting salaries on the salary schedule; or

28 (B) Add years to the salary schedule.

29 (6) In order to receive state funding for increased teacher
 30 salaries under this subsection (d), a high-priority district must pay the
 31 minimum teacher salaries required by law.

32 (7)(A) For a high-priority district with a baseline fund
 33 balance, the amount by which the district's total fund balances exceeds its
 34 baseline fund balance in a fiscal year shall be deducted from the funding to
 35 be provided under this subsection (d) in the following fiscal year.

36 (B) For any other high-priority district, the amount by

1 which the total fund balances for a fiscal year exceeds twenty percent (20%)
 2 of the district's unrestricted ending fund balance for that year shall be
 3 deducted from the funding to be provided under this subsection (d) in the
 4 following fiscal year.

5 ~~(d)~~(e) The department shall:

6 (1) Monitor the implementation of the incentive ~~program~~ programs
 7 established by this section; and

8 (2) Collect data to be used to evaluate the incentive ~~program's~~
 9 programs' effectiveness.

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 11 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 12 General Assembly of the State of Arkansas that the Arkansas Supreme Court has
 13 determined that the disparity in teacher salaries in economically depressed
 14 areas of the state may cause public school students in those areas to receive
 15 less than an adequate education; that under the state's constitution, wealthy
 16 school districts may continue to raise taxes to pay ever-increasing salaries
 17 while economically depressed areas of the state are unable to increase taxes
 18 commensurately; that this act will provide state assistance to these high-
 19 priority school districts needed to equalize teacher salaries and increase
 20 teacher recruiting and retention; and that this act is immediately necessary
 21 to provide that assistance for the 2007-2008 school year. Therefore, an
 22 emergency is declared to exist and this act being immediately necessary for
 23 the preservation of the public peace, health, and safety shall become
 24 effective on:

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,
 27 the expiration of the period of time during which the Governor may veto the
 28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is
 30 overridden, the date the last house overrides the veto.