

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 774

5 By: Senator Crumbly
6 *By: Representatives Allen, T. Baker, Blount, E. Brown, S. Dobbins, Rainey*
7
8

For An Act To Be Entitled

9
10 AN ACT TO PROVIDE INCENTIVES FOR TEACHER
11 RECRUITMENT AND RETENTION IN HIGH-PRIORITY SCHOOL
12 DISTRICTS; TO EQUALIZE TEACHER SALARIES BETWEEN
13 HIGH-PRIORITY SCHOOL DISTRICTS AND HIGHER PAYING
14 SURROUNDING SCHOOL DISTRICTS IN ARKANSAS; AND FOR
15 OTHER PURPOSES.
16

Subtitle

17
18 AN ACT TO PROVIDE INCENTIVES FOR TEACHER
19 RECRUITMENT AND RETENTION AND TO
20 EQUALIZE TEACHER SALARIES IN HIGH-
21 PRIORITY SCHOOL DISTRICTS WITH
22 SURROUNDING HIGHER PAYING SCHOOL
23 DISTRICTS.
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

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

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

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

36 ~~(A)~~(B) "High-priority district" means a public school



1 district of one thousand (1,000) or fewer students in which eighty percent
2 (80%) or more of public school students are eligible for the free or reduced-
3 price lunch program under the National School Lunch Act and have a three-
4 quarter average daily membership of one thousand (1,000) or fewer for the
5 ~~2003-2004~~ 2006-2007 school year;

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

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

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

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

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

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

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

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

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

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

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

1 ~~(2)(A)(B)(i)~~ For all teachers not newly signed to work in
2 the high-priority district, a retention bonus of two thousand dollars
3 (\$2,000) shall be paid:

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

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

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

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

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

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

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

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

35 (d)(1) As an alternative to the bonuses paid under subsection (c) of
36 this section and in order to provide equity in teacher compensation, the

1 salary schedule for a teacher employed by a high-priority district shall be
2 increased to match the highest-paying salary schedule of other public school
3 districts:

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

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

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

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

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

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

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

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

29 (B) Add years to the salary schedule.

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

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

1 (B) For any other high-priority district, the amount by
2 which the total fund balances for a fiscal year exceeds twenty percent (20%)
3 of the district's unrestricted ending fund balance for that year shall be
4 deducted from the funding to be provided under this subsection (d) in the
5 following fiscal year.

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

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

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

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

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

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

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

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33 /s/ Crumbly
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