

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 87th General Assembly  
3 Regular Session, 2009  
4  
5 By: Senator Crumbly  
6  
7

# A Bill

SENATE BILL 430

## 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

15  
16 TO PROVIDE INCENTIVES FOR TEACHER  
17 RECRUITMENT AND RETENTION AND EQUALIZE  
18 TEACHER SALARIES IN HIGH-PRIORITY SCHOOL  
19 DISTRICTS.  
20  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24  
25 SECTION 1. Arkansas Code § 6-17-811 is amended to read as follows:  
26 6-17-811. Incentives for teacher recruitment and retention in high-  
27 priority districts.

28 (a)~~(1)~~ As used in this section:

29 ~~(A)~~(1) "Area public school district" means a public school  
30 district that is:

31 ~~(i)~~(A) Within the county of a high-priority district; or

32 ~~(ii)~~(B) Within a thirty-mile radius of a high school of a  
33 high-priority district;

34 (2)(A) "High-priority district" means a public school district:

35 (i) In which eighty percent (80%) or more of public  
36 school students are eligible for the free or reduced-price lunch program



1 under the National School Lunch Act based on the October 1 student count of  
2 the previous year submitted to the Department of Education; and

3 (ii) That had a three-quarter average daily  
4 membership in the previous year of one thousand (1,000) or fewer students,  
5 unless the public school district is a:

6 (a) County-wide public school district; or

7 (b) Resulting school district in a  
8 consolidation or a receiving district in an annexation in which both public  
9 school districts in the consolidation or annexation were previously high-  
10 priority districts.

11 (B) By April 1 of each year, the State Board of Education  
12 shall determine the districts that qualify as high-priority districts of the  
13 state;

14 ~~(B)-(i)-(3)~~(A) “New teacher bonus” means an incentive bonus  
15 provided under subdivisions (b)(1)-(3) of this section to a teacher ~~that~~ who  
16 is within the first three (3) years of employment with a single high-priority  
17 district.

18 ~~(ii)-(B)~~ A teacher is not entitled to receive a new teacher  
19 bonus from any high-priority district other than the high-priority district  
20 that first employed the teacher and paid the teacher a new teacher bonus;

21 ~~(C)-(4)~~ “Previous year” means the school year immediately  
22 preceding the present school year;

23 ~~(D)-(5)~~ “Retention bonus” means an incentive bonus provided under  
24 subdivision (b)(4) or subdivision (b)(5) of this section; and

25 ~~(E)-(i)~~ (6)(A) “Teacher” means a ~~certified~~ licensed classroom  
26 teacher who spends seventy percent (70%) of his or her time working directly  
27 with students in a classroom setting teaching all grade-level or subject-  
28 matter appropriate classes.

29 ~~(ii)-(B)~~ “Teacher” includes a guidance ~~counselors and~~  
30 ~~librarians~~ counselor or librarian.

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

33 ~~(b) Beginning in the 2007-2008 school year and each school year~~  
34 ~~thereafter,~~ At the end of the school year and upon completion of a licensed  
35 teacher’s contracted teaching obligations, a teacher ~~licensed by the state~~  
36 ~~board who enters into a teaching contract and~~ who completes the entire

1 current school year teaching in a high-priority district ~~shall at the end of~~  
 2 ~~the school year and upon completion of his or her contracted teaching~~  
 3 ~~obligations be~~ is entitled to receive in addition to all other contracted  
 4 salary and benefits:

5 (1) For a newly hired teacher who has not previously taught in a  
 6 high-priority district, a one (1) time signing bonus of four thousand dollars  
 7 (\$4,000) for the first year of service in the high-priority district to be  
 8 paid upon completion of the full year of teaching;

9 (2) For a newly hired teacher who meets the requirements of  
 10 subdivision (b)(1) of this section, who continues to teach in the same high-  
 11 priority district, and who completes the second full year of contracted  
 12 teaching obligations, a new teacher bonus in the amount of three thousand  
 13 dollars (\$3,000) in addition to all other contracted salary and benefits;

14 (3) For a teacher who meets the requirements of subdivisions  
 15 (b)(1) and (2) of this section, who continues to teach in the same high-  
 16 priority district, and who completes a third year of contracted teaching  
 17 obligations, a new teacher bonus of three thousand dollars (\$3,000) in  
 18 addition to all other contracted salary and benefits;

19 (4) For a teacher who meets the requirements of subdivisions  
 20 (b)(1)-(3) of this section, who enters his or her fourth or subsequent year  
 21 of service with the same high-priority district or begins employment with a  
 22 high-priority district other than the high-priority district where he or she  
 23 was employed at the time he or she received a new teacher bonus under  
 24 subdivisions (b)(1)-(3) of this section, a retention bonus in the amount of  
 25 two thousand dollars (\$2,000) for the fourth and each subsequent complete  
 26 year of service in the high-priority district to be paid at the end of the  
 27 school year after completing all contractual obligations; and

28 (5) For a teacher employed in a high-priority district who does  
 29 not meet the requirements of subdivisions (b)(1)-(3) of this section, a  
 30 retention bonus in the amount of two thousand dollars (\$2,000) for each  
 31 complete year of service in the high-priority district to be paid at the end  
 32 of the school year after completing all contractual obligations.

33 (c)(1) No teacher shall be entitled to a bonus provided under this  
 34 section unless the teacher has fulfilled his or her contractual obligations  
 35 for the current school year.

36 (2) The superintendent of the high-priority district where

1 the teacher is employed shall certify in writing to the department that the  
2 teacher has completed all contractual obligations for the school year.

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

7 (d)(1)(A) As an alternative to the bonuses paid under subsection (c)  
8 of this section and in order to provide equity in teacher compensation, a  
9 high-priority district may supplement the salary of each teacher employed by  
10 the high-priority district with a bonus equal to the difference between the  
11 beginning salary of the high-priority district's salary schedule for the  
12 2009-2010 school year and an amount that is one thousand dollars (\$1,000)  
13 less than the beginning salary as of June 30, 2009, of the highest paying  
14 salary schedule of area public school districts.

15 (B) For the 2011-2012 school year, if there are moneys  
16 available from the 2010-2011 school year for the purposes of this subsection,  
17 the state shall either:

18 (i) Continue to fund the bonus provided under  
19 subdivision (d)(1)(A) in the 2009-2010 school year equal to the difference  
20 between the beginning salary of the high-priority district's salary schedule  
21 for 2009-2010 and an amount that is one thousand dollars (\$1,000) less than  
22 the beginning salary as of June 30, 2009, of the highest paying salary  
23 schedule of area public school districts; or

24 (ii)(a) Distribute the remaining moneys on a per  
25 pupil basis to all eligible high-priority districts if funds are not  
26 sufficient to fund an increase in the high-priority district salary schedule  
27 for the 2009-2010 school year to within one thousand dollars (\$1,000) of the  
28 highest paying salary schedule of area public school districts.

29 (b) Any funds distributed under subdivision  
30 (d)(1)(B)(ii)(a) of this section shall be used only for the purpose of  
31 providing a bonus to teachers employed by the high-priority district  
32 receiving the distribution.

33 (2) A bonus under this subsection shall be based on the salary  
34 schedules of the highest-paying public school district in place on June 30 of  
35 the previous year.

36 (3) A high-priority district shall elect to pay teacher bonuses

1 under either this subsection or under subsection (c) of this section, but not  
 2 both.

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

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

7 (B) Add years to the salary schedule.

8 (5) In order to receive state funding for increased teacher  
 9 salaries under this subsection, a high-priority district shall pay at least  
 10 the minimum teacher salaries required by law.

11 (6) An administrator of a high-priority district that  
 12 participates in this program and a teacher who receives an incentive under  
 13 this program shall complete the professional development required by  
 14 subsection (f) of this section.

15 (e) The General Assembly finds and determines that the teacher  
 16 retention and recruitment incentives provided for in this section are in  
 17 addition to, and in excess of, the amount of funds distributed to school  
 18 districts to enable school districts and the State of Arkansas to provide a  
 19 general, suitable, and efficient education as required by the Arkansas  
 20 Constitution.

21 ~~(e)-(f)~~ The department shall:

22 (1) Monitor the implementation of the incentive program  
 23 established by this section;

24 (2) Collect data to be used to evaluate the incentive program's  
 25 effectiveness; ~~and~~

26 (3) Promulgate any necessary rules to administer the  
 27 requirements of this teacher recruitment and retention program; ~~and~~

28 (4)(A) Provide professional development, including without  
 29 limitation a summer institute, in:

30 (i) The core academic subject area needed by a  
 31 teacher receiving an incentive under this section who is not a highly  
 32 qualified teacher to attain highly qualified status; and

33 (ii) Research-based school leadership and  
 34 instructional strategies needed by each administrator in a high-priority  
 35 school district that pays the incentives under this section to increase the  
 36 administrator's:

- 1 (a) Leadership skills; and
- 2 (b) Ability to apply successful instructional
- 3 strategies; and
- 4 (c) Ability to use and implement school
- 5 programs to improve student learning.

6 (B) The department shall provide the professional  
 7 development under this subdivision (f)(4) at no cost to the teacher or  
 8 administrator.

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10 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 11 General Assembly of the State of Arkansas that there are school districts in  
 12 economically depressed and low property wealth areas of the state that face  
 13 difficulties competing with surrounding, geographically close school  
 14 districts with regard to teacher salaries, and that such condition makes it  
 15 difficult for districts in such economically depressed and low property  
 16 wealth areas to recruit and retain qualified teachers; that this act will  
 17 provide assistance to those high-priority districts to assist them in  
 18 recruiting and retaining such teachers; and that this act is immediately  
 19 necessary to provide that assistance for the 2009-2010 school year.  
 20 Therefore, an emergency is declared to exist and this act being immediately  
 21 necessary for the preservation of the public peace, health, and safety shall  
 22 become effective on:

- 23 (1) The date of its approval by the Governor;
- 24 (2) If the bill is neither approved nor vetoed by the Governor,
- 25 the expiration of the period of time during which the Governor may veto the
- 26 bill; or
- 27 (3) If the bill is vetoed by the Governor and the veto is
- 28 overridden, the date the last house overrides the veto.

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