

1 State of Arkansas
2 89th General Assembly
3 Fiscal Session, 2014
4

As Engrossed: S2/27/14

A Bill

SENATE BILL 48

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO
9 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE
10 DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2015; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
16 APPROPRIATION FOR THE 2014-2015 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
24 Department of Education, to be payable from the Department of Education
25 Public School Fund Account, for grants and aid to local school districts and
26 special programs of the Department of Education for the fiscal year ending
27 June 30, 2015, the following:
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29 ITEM	FISCAL YEAR
30 NO.	2014-2015
31 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$34,500,000
32 (02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
33 HEALTH INSURANCE	15,000,000
34 (03) ADVANCED PLACEMENT INCENTIVE	825,000
35 (04) ALTERNATIVE LEARNING	23,733,153
36 (05) ARKANSAS EASTER SEALS	193,113



1	(06)	ASSESSMENT/END OF COURSE TESTING	24,223,861
2	(07)	AT RISK	1,688,530
3	(08)	BETTER CHANCE PROGRAM	111,000,000
4	(09)	BONDED DEBT ASSISTANCE	28,455,384
5	(10)	CONSOLIDATION INCENTIVE	5,640,300
6	(11)	CONTENT STANDARDS	161,000
7	(12)	CONTENTS STANDARDS CURRICULUM	
8		FRAMEWORKS	50,000
9	(13)	COOP EDUCATION TECH CENTERS	1,200,000
10	(14)	COORDINATED SCHOOL HEALTH	2,000,000
11	(15)	COURT ORDERED DESEGREGATION	69,814,372
12	(16)	CRIMINAL BACKGROUND CHECKS	25,000
13	(17)	DECLINING ENROLLMENT	13,963,389
14	(18)	DEPT OF CORRECTION	6,396,775
15	(19)	DISTANCE LEARNING	4,760,000
16	(20)	DISTANCE LEARNING OPERATIONS	7,575,000
17	(21)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
18	(22)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
19	(23)	ECONOMIC EDUCATION	350,000
20	(24)	EDUCATION SERVICE COOPERATIVES	6,129,270
21	(25)	ENGLISH LANGUAGE LEARNERS	14,004,642
22	(26)	GENERAL FACILITIES FUNDING	8,100,000
23	(27)	GIFTED & TALENTED	1,335,381
24	(28)	GRANTS TO SCHOOL DISTRICTS	67,856
25	(29)	HOME SCHOOL TESTING	250,000
26	(30)	HUMAN DEVELOPMENT CENTER EDUCATION	
27		AID	526,150
28	(31)	INTERVENTION BLOCK GRANTS	302,000
29	(32)	ISOLATED FUNDING	7,896,000
30	(33)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
31	(34)	MASTER PRINCIPAL BONUS	200,000
32	(35)	NATIONAL BOARD OF PROF TEACHING	
33		STANDARDS	15,016,160
34	(36)	NATIONAL SCHOOL LUNCH	213,768,543
35	(37)	NON-TRADITIONAL LICENSURE	50,000
36	(38)	PROFESSIONAL DEVELOPMENT FUNDING	25,126,997

1	(39)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
2	(40)	RESIDENTIAL CENTERS/JUVENILE	
3		DETENTION	16,345,087
4	(41)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
5	(42)	SCHOOL FOOD SERVICES	1,650,000
6	(43)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
7	(44)	SCHOOL FUNDING CONTINGENCY	25,000,000
8	(45)	SCHOOL WORKER DEFENSE	390,000
9	(46)	SERIOUS OFFENDER	1,716,859
10	(47)	SMART START/SMART STEP	10,666,303
11	(48)	SPECIAL EDUCATION SERVICES	2,802,527
12	(49)	SPECIAL EDUCATION-CATASTROPHIC	12,900,000
13	(50)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
14	(51)	STATE FOUNDATION FUNDING	1,976,072,528
15	(52)	STUDENT GROWTH	28,500,000
16	(53)	SUPPLEMENTAL MILLAGE	10,000,000
17	(54)	SURPLUS COMMODITIES	1,349,810
18	(55)	TEACHER LICENSING/MENTORING	5,008,758
19	(56)	TEACHER OF THE YEAR	100,000
20	(57)	TEACHER RECRUITMENT	2,100,000
21	(58)	TEACHER RETIREMENT MATCHING	11,112,407
22	(59)	TECHNOLOGY GRANTS	3,602,678
23	(60)	TECHNOLOGY IMPROVEMENTS	500,000
24	(61)	WORKER'S COMPENSATION	450,000
25	(62)	YOUTH SHELTERS	165,000
26	(63)	SCHOOL, CAMPUS AND CHILD SAFETY AND	
27		ACTIVE SHOOTER/SAFE SCHOOLS INITIATIVES	691,500
28	(64)	REG. COMMUNITY ALTERNATIVE LEARNING	
29		ENVIRONMENT CENTER-TRANSPORTATION	70,000
30	(65)	REG. COMMUNITY ALTERNATIVE LEARNING	
31		ENVIRONMENT CENTER-TRUANCY OFFICERS	<u>275,000</u>
32		TOTAL AMOUNT APPROPRIATED	<u>\$2,834,192,853</u>

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34 SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

35 There is hereby established for the Department of Education - Arkansas Public
 36 School Computer Network for the 2014-2015 fiscal year, the following maximum

1 number of regular employees.

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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
(1)	N047N	ADE APSCN DIRECTOR	1	GRADE N908
(2)	G012C	ADE ASSISTANT TO COMMISSIONER	2	GRADE C129
(3)	G050C	ADE APSCN DIVISION MANAGER	2	GRADE C126
(4)	D037C	ADE APSCN APPLICATIONS MANAGER	5	GRADE C124
(5)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
(6)	D050C	SECURITY ANALYST	1	GRADE C122
(7)	D044C	SYSTEMS ANALYST	1	GRADE C122
(8)	D055C	ADE APSCN FIELD ANALYST	25	GRADE C121
(9)	C020C	STUDENT APPLICATIONS SPECIALIST	5	GRADE C116
(10)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
(11)	D077C	HELP DESK SPECIALIST	2	GRADE C115
(12)	C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
MAX. NO. OF EMPLOYEES			48	

SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for personal services and operating expenses of the Department of Education - Arkansas Public School Computer Network for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) REGULAR SALARIES	\$2,330,477
(02) PERSONAL SERVICES MATCHING	791,978
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	19,245,839
(B) CONF. & TRAVEL	7,250
(C) PROF. FEES	0
(D) CAP. OUTLAY	200,000

1	(E) DATA PROC.	0
2	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$22,875,544</u>

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5 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 6 is hereby established for the Department of Education - Office of Education
 7 Renewal Zones for the 2014-2015 fiscal year, the following maximum number of
 8 regular employees.

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10		Maximum Annual
11		Salary Rate
12	Item Class	Fiscal Year
13	<u>No. Code Title</u>	<u>Employees</u> <u>2014-2015</u>
14	(1) E007C ADE OERZ DIRECTOR	1 GRADE C126
15	(2) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3 GRADE C122
16	(3) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u> GRADE C112
17	MAX. NO. OF EMPLOYEES	5

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19 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 20 hereby appropriated, to the Department of Education, to be payable from the
 21 Department of Education Public School Fund Account, for personal services,
 22 operating expenses and grants by the Department of Education - Office of
 23 Education Renewal Zones for the fiscal year ending June 30, 2015, the
 24 following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2014-2015</u>
28	(01) REGULAR SALARIES	\$259,688
29	(02) PERSONAL SERVICES MATCHING	86,535
30	(03) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	91,800
32	(B) CONF. & TRAVEL	13,000
33	(C) PROF. FEES	306,900
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	0
36	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>717,450</u>

1 TOTAL AMOUNT APPROPRIATED \$1,475,373

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3 SECTION 6. APPROPRIATION - TECHNOLOGY DEVELOPMENT AND RESEARCH GRANTS.

4 There is hereby appropriated, to the Department of Education, to be payable
5 from the Department of Education Public School Fund Account, for grants to
6 the Arkansas Science and Technology Authority for technology development and
7 research grants by the Department of Education for the fiscal year ending
8 June 30, 2015, the following:

9

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2014-2015</u>
12 (01) TECHNOLOGY DEVELOPMENT AND RESEARCH	
13 GRANTS	<u>\$3,000,000</u>

14

15 SECTION 7. APPROPRIATION - SCHOOL RECOGNITION PROGRAM. There is hereby

16 appropriated, to the Department of Education, to be payable from the
17 Department of Education Public School Fund Account, for the payment of
18 financial awards to public schools through the Arkansas School Recognition
19 Program by the Department of Education for the fiscal year ending June 30,
20 2015, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2014-2015</u>
24 (01) ARKANSAS SCHOOL RECOGNITION PROGRAM	<u>\$10,000,000</u>

25

26 SECTION 8. APPROPRIATION - INTERNATIONAL BACCALAUREATE PROGRAM. There

27 is hereby appropriated, to the Department of Education, to be payable from
28 the Department of Education Public School Fund Account, for grants and aid to
29 local school districts for the International Baccalaureate Program by the
30 Department of Education for the fiscal year ending June 30, 2015, the sum
31 of.....\$75,000.

32

33 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MANDATORY
35 FUNDING PROVISION. The Department of Education shall expend or have
36 committed for expenditure funds in the Department of Education Public School

1 Fund Account in the amount of seventy-five thousand dollars (\$75,000) to
2 provide funding for grants and aid to local school districts for the
3 International Baccalaureate Program as appropriated herein.

4 The provisions of this section shall be in effect only from July 1,
5 ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

6
7 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
9 ALLOCATION. The appropriation for the Isolated Funding line item in Section 1
10 of this Act may be fully funded. Any funding and appropriation for Isolated
11 Funding that is not utilized shall be transferred to the appropriation for
12 Special Needs Isolated Funding in Section 1 of this Act and shall be used
13 there for fully funding each subsection (c) through (f) of Arkansas Code
14 §6-20-604 on a pro rata basis until the available funds are exhausted. Pro
15 rata basis is defined as providing each district qualifying for additional
16 funding under subsections (c) through (f) a proportionate share based on how
17 each district's additional funding amount bears to the total additional
18 funding amounts for all qualifying districts. If any funding and
19 appropriation remains after funding each subsection (c) through (f) of
20 Arkansas Code §6-20-604 the remaining balance shall be used to fund the
21 provisions of Arkansas Code §6-20-604 (h) on an equal basis until the
22 available funds are exhausted.

23 The provisions of this section shall be in effect only from July 1, ~~2012~~
24 2014 through June 30, ~~2013~~ 2015.

25
26 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
28 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
29 Districts appropriation in Section 1 of this Act, "school district" means a
30 school district which contracts with a school district in an adjoining state
31 for the education of some of the pupils within the Arkansas school district
32 because the portion of the school district wherein such pupils live is
33 completely separated from the remainder of the school district by a reservoir
34 covering at least 12,000 acres at normal water level, and where to attend
35 school in their own district, the pupils of said portion would be required to
36 travel or to be transported a distance (measured by the nearest highway or

1 road route) of more than 35 miles round trip and pass through another school
2 district or districts. The Department of Education shall distribute the
3 monies appropriated for Grants to School Districts in Section 1 of this Act
4 to such school districts as reimbursement for expenses incurred in educating
5 the pupils residing in the separated portion of the school district. The
6 payments are to be limited to the amount of available appropriation. Such
7 school districts shall file a request for reimbursement with the Department
8 of Education and provide the Department of Education with such documentation
9 as is deemed necessary.

10 The provisions of this section shall be in effect only from July 1, ~~2012~~
11 2014 through June 30, ~~2013~~ 2015.

12
13 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
15 EDUCATION SERVICES. The funds appropriated in the line item "Special
16 Education Services" in Section 1 of this Act shall be used to provide
17 extended year summer programs for handicapped students in need of such
18 services, to provide special education services to foster children who are
19 wards of the State, and to provide funds for the payment of salaries of
20 special education supervisors. The Department of Education shall distribute
21 such funds in the manner necessary to carry out the intent of this Section.

22 The provisions of this section shall be in effect only from July 1, ~~2012~~
23 2014 through June 30, ~~2013~~ 2015.

24
25 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
27 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
28 fiscal year thereafter, the Department of Education shall from time to time
29 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
30 State, the amount of funds disbursed or approved to be disbursed by the
31 Department of Education for desegregation expenses under any "Desegregation
32 Settlement Agreement". Upon the receipt of such certification, the State
33 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
34 202(b)(2)(B), shall also deduct from the net general revenues the amount
35 certified and transfer this amount to the Department of Education Public
36 School Fund Account there to be used exclusively for payment of or

1 reimbursement for expenses incurred from the Department of Education Public
2 School Fund Account under any "Desegregation Settlement Agreement".

3
4 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
6 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
7 Incentive shall be allocated in accordance with rules and regulations
8 established by the State Board of Education.

9 The provisions of this section shall be in effect only from July 1, ~~2012~~
10 2014 through June 30, ~~2013~~ 2015.

11
12 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
14 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
15 Residential Centers/Juvenile Detention shall be allocated in accordance with
16 rules and regulations established by the State Board of Education.

17 The provisions of this section shall be in effect only from July 1, ~~2012~~
18 2014 through June 30, ~~2013~~ 2015.

19
20 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
22 AUTHORITY. The Commissioner of the Department of Education, with the approval
23 of the Chief Fiscal Officer of the State and after approval by the Arkansas
24 Legislative Council or Joint Budget Committee, is hereby authorized to
25 request necessary appropriation transfers and any other budget related
26 adjustments necessary within the Department of Education. Provided, however,
27 that the Department of Education shall be limited to submitting no more than
28 two transfer requests during any fiscal year.

29 Determining the maximum number of employees and the maximum amount of
30 appropriation and general revenue funding for a state agency each fiscal year
31 is the prerogative of the General Assembly. This is usually accomplished by
32 delineating such maximums in the appropriation act(s) for a state agency and
33 the general revenue allocations authorized for each fund and fund account by
34 amendment to the Revenue Stabilization law. Further, the General Assembly
35 has determined that the Department of Education may operate more efficiently
36 if some flexibility is provided to the Commissioner of the Department of

1 Education authorizing broad powers under the Transfer Authority provision
2 herein. Therefore, it is both necessary and appropriate that the General
3 Assembly maintain oversight by requiring prior approval of the Legislative
4 Council or Joint Budget Committee as provided by this section. The
5 requirement of approval by the Legislative Council or Joint Budget Committee
6 is not a severable part of this section. If the requirement of approval by
7 the Legislative Council or Joint Budget Committee is ruled unconstitutional
8 by a court jurisdiction, this entire section is void.

9 The provisions of this section shall be in effect only from July 1, ~~2012~~
10 2014 through June 30, ~~2013~~ 2015.

11
12 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
14 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
15 authorized herein to the Department of Education for the Quiz Bowl each
16 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each
17 fiscal year may be made available to the Department of Education -
18 Educational Television Division for its documented costs associated with the
19 Quiz Bowl.

20 The provisions of this section shall be in effect only from July 1, ~~2012~~
21 2014 through June 30, ~~2013~~ 2015.

22
23 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
25 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
26 shall make available from the Intervention Block Grants appropriation
27 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
28 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
29 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for
30 grants up to \$1,000 each for students and chaperones, thirteen thousand five
31 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one
32 hundred thousand dollars (\$100,000) each fiscal year for the State History
33 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year
34 for a grant to the Arkansas Science Fair Association for grants to regional
35 and the state science fairs. The Department of Education shall allocate
36 General Revenue funding totaling no less than three hundred two thousand

1 dollars (\$302,000) each fiscal year from the Department of Education Public
2 School Fund Account to support the annual expenses of the Quiz Bowl, the
3 Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and
4 chaperones, Destination Imagination, the State History Day Competition, and
5 the Arkansas Science Fair Association for grants to regional and state
6 science fairs. The Department shall either expend or have committed for
7 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,
8 Inc., Destination Imagination, the State History Day Competition, and
9 Arkansas Science Fair Association grants as authorized herein in order to
10 fulfill the provisions of this section.

11 The provisions of this section shall be in effect only from July 1, ~~2012~~
12 2014 through June 30, ~~2013~~ 2015.

13

14 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
15 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST FUNDING
16 PROVISION. Of the total amount appropriated for Technology Grants each fiscal
17 year, an amount of not less than two million dollars (\$2,000,000) or eighteen
18 percent (18%), whichever is greater each fiscal year, shall be awarded
19 through a grant or professional services contract for EAST infrastructure,
20 personnel, and operating expenses. The EAST infrastructure grant or contract
21 for personal services and operating expenses shall be awarded to an entity
22 that has personnel or experience, or both, in implementing the EAST
23 Initiative.

24 The provisions of this section shall be in effect only from July 1, ~~2012~~
25 2014 through June 30, ~~2013~~ 2015.

26

27 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CENTER
29 FOR QUALITY TEACHING AND LEARNING FUNDING PROVISION. Of the total
30 appropriation authorized by this Act for Technology Grants the Department of
31 Education shall make available one hundred eighty-seven thousand five hundred
32 seventy-five dollars (\$187,575) each fiscal year for Center for Quality
33 Teaching and Learning initiatives to teach students computer repair in a
34 hands-on environment. The Department of Education shall allocate General
35 Revenue funding totaling no less than one hundred eighty-seven thousand five
36 hundred seventy-five dollars (\$187,575) each fiscal year from the Department

1 of Education Public School Fund Account to support the Center for Quality
2 Teaching and Learning. The Department shall either expend or have committed
3 for expenditure the monies allocated for the Center for Quality Teaching and
4 Learning in order to fulfill the provisions of this section.

5 The provisions of this section shall be in effect only from July 1,
6 ~~2012~~ 2014 through June 30,—~~2013~~ 2015.

7

8 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
11 "Distressed School District Support" in Section 1 of this Act may be used for
12 technical assistance offered by the Department of Education to school
13 districts in academic distress that can include, but is not limited to,
14 teacher specialists, principal specialists, and other personnel assigned by
15 the department. These funds may also be used for alternative research-based
16 technical assistance or programs. Criteria for selecting and approving
17 alternative research-based technical assistance or programs are to be
18 promulgated as a rule by the State Board of Education, provided that
19 alternative staffing and/or compensation programs for teachers shall be
20 approved by at least a majority of the teachers in the school, schools, or
21 school district participating in the program.

22 The provisions of this section shall be in effect only from July 1,—~~2012~~
23 2014 through June 30,—~~2013~~ 2015.

24

25 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

27 PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional
28 Development Funding, four million dollars (\$4,000,000) may be authorized by
29 the Commissioner of the Department of Education to be used by the Department
30 of Education to develop and implement statewide professional development
31 support systems for teachers that will benefit student achievement.

32 The provisions of this section shall be in effect only from July 1,—~~2012~~
33 2014 through June 30,—~~2013~~ 2015.

34

35 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

1 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
2 Districts shall pay the teacher retirement employer contribution rate for any
3 eligible employee in accordance with rules and regulations established by the
4 Teacher Retirement Board of Directors. The appropriation contained herein for
5 Teacher Retirement Matching each fiscal year shall be used to provide the
6 employer matching for employees of the Cooperative Education Services Areas,
7 Vocational Centers, Arkansas Easter Seals and the school operated by the
8 Department of Correction.

9 The provisions of this section shall be in effect only from July 1, ~~2012~~
10 2014 through June 30, ~~2013~~ 2015.

11
12 *SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE*
13 *ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.*
14 *OPEN-ENROLLMENT VIRTUAL CHARTER SCHOOL PROVISIONS.*

15 *(a)(1) Regardless of any provision of law to the contrary, ~~no~~ a school*
16 *district or public charter school shall ~~receive state~~ remit to the Department*
17 *of Education the foundation funding amount for the 2014-2015 school year and*
18 *each school year thereafter for ~~those students~~ a student who ~~are included~~ is*
19 *counted in the school district's or public charter school's average daily*
20 *membership for the previous school year but who ~~are~~ is attending ~~any~~ an open-*
21 *enrollment public virtual charter school that uses internet, long-distance,*
22 *or virtual technology as the primary method of teaching.*

23 *(2)(A) Beginning with the 2013-2014 school year, for each new student*
24 *enrolled pursuant to subdivision (d) of this section, an open-enrollment*
25 *public virtual charter school shall:*

26 *(i) Maintain a record of each school district the newly*
27 *enrolled student attended by quarter in the school year immediately before*
28 *enrolling in the open-enrollment public virtual charter school; and*

29 *(ii) Update the record maintained in subdivision (a)(2)(A) of*
30 *this section quarterly.*

31 *(B) Quarterly, beginning April 1, 2014, an open-enrollment*
32 *public virtual charter school shall submit to the department a copy of all*
33 *records required under subdivision (a)(2)(A) of this section.*

34 *(3) Beginning April 1, 2014, an open-enrollment public virtual charter*
35 *school shall not receive per-student state foundation funding aid for a new*
36 *student enrolled pursuant to subdivision (d) of this section if the open-*

1 enrollment public virtual charter school does not maintain and submit the
 2 record required in subdivision (a)(2) of this section.

3 (b) As of school year 2012-13, the State Board of Education has
 4 approved a maximum enrollment of 500 for the open-enrollment public virtual
 5 charter school.

6 (c) Beginning in school year 2013-14 and thereafter, for an
 7 open-enrollment public charter granted to a virtual school, the school ~~shall~~
 8 ~~be allowed to~~ may enroll an eligible student in any grade, kindergarten
 9 through grade twelve (K-12), up to a total school enrollment of three
 10 thousand (3,000) students.

11 ~~(d)(1) Students that become enrolled~~ A student is eligible to enroll in
 12 the additional two thousand five hundred (2,500) additional slots authorized
 13 by subsection (c) of this Section section if the student must be was enrolled
 14 in an Arkansas public school, other than an open-enrollment public virtual
 15 charter school, for the first three quarters of the prior school year.

16 (2) Subdivision (d)(1) does not apply to a student who is enrolling
 17 in kindergarten.

18 (e) A student who is enrolled in an open-enrollment public virtual
 19 charter school on or before January 1, 2014 is presumed to be legally
 20 enrolled.

21 (f) The provisions of this section shall be in effect only from July
 22 1, 2013 2014 through June 30, 2014 2015.

23
 24 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
 26 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
 27 authorized to expend a maximum of two percent (2%) of available funds for
 28 administration of the Better Chance Program. Up to 1.8% of available funds
 29 shall be used to administer the program and to monitor program grantees to
 30 ensure compliance with programmatic standards. Prior to the utilization of
 31 the remaining 0.2% of available funds, the Department of Education shall seek
 32 prior review and approval of the Arkansas Legislative Council or Joint Budget
 33 Committee by providing a written request to include the following: a) the
 34 Department's reason(s) for the use of the funds and b) the amount of funds
 35 that will be expended. The Department may contract with the Division of Child
 36 Care and Early Childhood Education to administer the program.

1 Determining the maximum number of employees and the maximum amount of
2 appropriation and general revenue funding for a state agency each fiscal year
3 is the prerogative of the General Assembly. This is usually accomplished by
4 delineating such maximums in the appropriation act(s) for a state agency and
5 the general revenue allocations authorized for each fund and fund account by
6 amendment to the Revenue Stabilization law. Therefore, it is both necessary
7 and appropriate that the General Assembly maintain oversight by requiring
8 prior approval of the Legislative Council or Joint Budget Committee as
9 provided by this section. The requirement of approval by the Legislative
10 Council or Joint Budget Committee is not a severable part of this section.
11 If the requirement of approval by the Legislative Council or Joint Budget
12 Committee is ruled unconstitutional by a court of competent jurisdiction,
13 this entire section is void.

14 The provisions of this section shall be in effect only from July 1, ~~2012~~
15 2014 through June 30, ~~2013~~ 2015.

16

17 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
19 TEACHER SALARY. The Arkansas Department of Education is requested to
20 calculate Average Teacher Salary in the Department's Annual Statistical
21 Report to not include extra duty funds. Specifically, the Department is
22 requested to calculate the Average Teacher Salary amount using the National
23 Education Association definitions for Average Salary for Classroom Teachers.
24 The Arkansas Department of Education shall submit this data annually to the
25 National Education Association in accordance with that organization's
26 deadlines for submission for their report "Rankings and Estimates" which
27 includes state-by-state teacher salary comparisons.

28

29 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
31 FORWARD. Any unexpended balance of monies allocated for the Arkansas Better
32 Chance for School Success Program remaining on June 30, ~~2013~~ 2015, in the
33 Department of Education Public School Fund Account shall be designated and
34 retained for the Arkansas Better Chance for School Success Program.

35 Any carry forward of unexpended balance of funding as authorized herein,
36 may be carried forward under the following conditions:

1 (1) Prior to June 30, ~~2013~~ 2015 the Agency shall by written statement set
2 forth its reason(s) for the need to carry forward said funding to the
3 Department of Finance and Administration Office of Budget;

4 (2) The Department of Finance and Administration Office of Budget shall
5 report to the Arkansas Legislative Council all amounts carried forward by the
6 September Arkansas Legislative Council or Joint Budget Committee meeting
7 which report shall include the name of the Agency, Board, Commission or
8 Institution and the amount of the funding carried forward, the program name
9 or line item, the funding source of that appropriation and a copy of the
10 written request set forth in (1) above;

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

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

22 The provisions of this section shall be in effect only from July 1, ~~2012~~
23 2014 through June 30, ~~2013~~ 2015.

24
25 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
27 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the
28 Department of Finance and Administration may use up to eleven dollars and
29 twenty cents (\$11.20) from each contribution made under Arkansas Code
30 §6-17-1117 (a) to offset the cost of health insurance premiums to eligible
31 members electing to participate in the public school employees' health
32 insurance program as a retiree.

33
34 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE 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 from the Department of Education Public School Fund Account to
4 the University of Arkansas at Little Rock Fund, specifically to provide
5 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, ~~2012~~
9 2014 through June 30, ~~2013~~ 2015.

10
11 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
13 INSURANCE. The appropriation contained herein for Public School Employee
14 Insurance each fiscal year shall be used to provide the state contribution
15 for insurance premiums for employees of the Cooperative Education Services
16 Areas, Vocational Centers, and the school operated by the Department of
17 Correction who participate in the Arkansas Public School Life and Health
18 Insurance Program.

19 The provisions of this section shall be in effect only from July 1, ~~2012~~
20 2014 through June 30, ~~2013~~ 2015.

21
22 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
25 funding for Alternative Learning Environment Programs in excess of the
26 regulatory limitation of six (6) hours per day for those programs that
27 operate more than twelve hours per day, in a proportionate manner and upon
28 special request to the Department of Education.

29 The provisions of this section shall be in effect only from July 1, ~~2012~~
30 2014 through June 30, ~~2013~~ 2015.

31
32 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
34 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
35 public schools, or for abortion services. Funds shall be expended in
36 accordance with Arkansas Code Annotated §6-18-703.

1 The provisions of this section shall be in effect only from July 1, ~~2012~~
2 2014 through June 30, ~~2013~~ 2015.

3
4 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

6 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.

7 Effective for the plan year beginning October 1, ~~2012~~ 2014, if ninety-eight

8 percent (98%) of the uniform rate of tax used in the calculation of State

9 Foundation Funding Aid for fiscal year ~~2012-2013~~ 2014-2015 exceeds nine

10 hundred twenty million seven hundred thirty-one thousand eight hundred

11 nineteen dollars (\$920,731,819), the Department of Education shall pay up to

12 fifteen million dollars (\$15,000,000) of the total increase over the nine

13 hundred twenty million seven hundred thirty-one thousand eight hundred

14 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the

15 Department of Finance and Administration in additional health insurance

16 contributions for eligible employees electing to participate in the public

17 school employees' health insurance program administered by the State and

18 Public School Life and Health Insurance Board.

19 The Department of Education shall make the contributions by transferring

20 funds to the division in quarterly installments. Funds provided by the

21 Department of Education to the division under this section shall be

22 administered by the board for the benefit of the employee participants of the

23 public school employees' health insurance program.

24 The provisions of this section shall be in effect only from July 1, ~~2012~~

25 2014 through June 30, ~~2013~~ 2015.

26
27 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS

29 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget

30 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in

31 addition to funds already being provided for the Arkansas Governor's School,

32 to fund the appropriation authorized from general revenue for the Gifted and

33 Talented program as appropriated in Section 1 herein. With this additional

34 funding the duration of the Arkansas Governor's School shall be extended from

35 four (4) weeks to six (6) weeks.

36 The provisions of this section shall be in effect only from July 1, ~~2012~~

1 2014 through June 30, ~~2013~~ 2015.

2
3 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ISOLATED
5 FUNDING - SPECIAL PROVISIONS. When the Department of Education uses a new
6 methodology or technology to recalculate square miles to determine student
7 transportation distance, density ratio, total area, or bus route miles for
8 the purpose of determining the amount of isolated funding a school district
9 receives under Ark. Code Ann. § 6-20-601 et seq., the school district shall
10 receive an amount of isolated funding that is not less than the amount of
11 isolated funding the school district would have received based on the school
12 district's square miles calculated in the prior school year; provided that
13 the school district remains eligible for isolated funding under § 6-20-601 et
14 seq.

15 The provisions of this section shall be in effect only from July 1,
16 ~~2012~~ 2014 through June 30, ~~2014~~ 2015.

17
18 SECTION 36. Section 24 of uncodified Act 1309 of 2013 is amended to
19 read as follows:

20
21 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
22 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY
23 LAW. OPEN-ENROLLMENT VIRTUAL CHARTER SCHOOL PROVISIONS.

24 (a)(1) Regardless of any provision of law to the contrary, ~~no~~ a
25 school district or public charter school shall receive state remit to
26 the Department of Education the foundation funding amount for the 2013-
27 2014 school year and each school year thereafter for those students a
28 student who are included is counted in the school district's or public
29 charter school's average daily membership for the previous school year
30 but who are is attending any an open-enrollment public virtual charter
31 school that uses internet, long-distance, or virtual technology as the
32 primary method of teaching.

33 (2)(A) Beginning with the 2013-2014 school year, for each new
34 student enrolled pursuant to subdivision (d) of this section, an open-
35 enrollment public virtual charter school shall:

36 (i) Maintain a record of each school district the newly

1 enrolled student attended by quarter in the school year immediately
2 before enrolling in the open-enrollment public virtual charter school;
3 and

4 (ii) Update the record maintained in subdivision (a)(2)(A)
5 of this section quarterly.

6 (B) Quarterly, beginning April 1, 2014, an open-enrollment
7 public virtual charter school shall submit to the department a copy of
8 all records required under subdivision (a)(2)(A) of this section.

9 (3) Beginning April 1, 2014, an open-enrollment public virtual
10 charter school shall not receive per-student state foundation funding
11 aid for a new student enrolled pursuant to subdivision (d) of this
12 section if the open-enrollment public virtual charter school does not
13 maintain and submit the record required in subdivision (a)(2) of this
14 section.

15 (b) As of school year 2012-13, the State Board of Education has
16 approved a maximum enrollment of 500 for the open-enrollment public
17 virtual charter school.

18 (c) Beginning in school year 2013-14 and thereafter, for an
19 open-enrollment public charter granted to a virtual school, the school
20 ~~shall be allowed to~~ may enroll an eligible student in any grade,
21 kindergarten through grade twelve (K-12), up to a total school
22 enrollment of three thousand (3,000) students.

23 ~~(d)(1) Students that become enrolled~~ A student is eligible to
24 enroll in the additional two thousand five hundred (2,500) additional
25 slots authorized by subsection (c) of this Section section if the
26 student ~~must be~~ was enrolled in an Arkansas public school, other than
27 an open-enrollment public virtual charter school, for the first three
28 quarters of the prior school year.

29 (2) Subdivision (d)(1) does not apply to a student who is
30 enrolling in kindergarten.

31 (e) A student who is enrolled in an open-enrollment public
32 virtual charter school on or before January 1, 2014 is presumed to be
33 legally enrolled.

34 (f) The provisions of this section shall be in effect only from
35 July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

36

1 SECTION 37. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
2 authorized by this act shall be limited to the appropriation for such agency
3 and funds made available by law for the support of such appropriations; and
4 the restrictions of the State Procurement Law, the General Accounting and
5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
6 Procedures and Restrictions Act, or their successors, and other fiscal
7 control laws of this State, where applicable, and regulations promulgated by
8 the Department of Finance and Administration, as authorized by law, shall be
9 strictly complied with in disbursement of said funds.

10
11 SECTION 38. LEGISLATIVE INTENT. It is the intent of the General
12 Assembly that any funds disbursed under the authority of the appropriations
13 contained in this act shall be in compliance with the stated reasons for
14 which this act was adopted, as evidenced by the Agency Requests, Executive
15 Recommendations and Legislative Recommendations contained in the budget
16 manuals prepared by the Department of Finance and Administration, letters, or
17 summarized oral testimony in the official minutes of the Arkansas Legislative
18 Council or Joint Budget Committee which relate to its passage and adoption.

19
20 SECTION 39. EMERGENCY CLAUSE. It is found and determined by the General
21 Assembly, that the Constitution of the State of Arkansas prohibits the
22 appropriation of funds for more than a one (1) year period; that the
23 effectiveness of this Act on July 1, 2014 is essential to the operation of
24 the agency for which the appropriations in this Act are provided; with the
25 exception that SECTION 36 in this Act shall be in full force and effect from
26 and after the date of its passage and approval, and that in the event of an
27 extension of the legislative session, the delay in the effective date of this
28 Act beyond July 1, 2014 could work irreparable harm upon the proper
29 administration and provision of essential governmental programs, with the
30 exception that SECTION 36 in this Act shall be in full force and effect from
31 and after the date of its passage and approval. Therefore, an emergency is
32 hereby declared to exist and this Act being necessary for the immediate
33 preservation of the public peace, health and safety shall be in full force
34 and effect from and after July 1, 2014; with the exception that SECTION 36 in
35 this Act shall be in full force and effect from and after the date of its
36 passage and approval.

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/s/Joint Budget Committee