

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

SENATE BILL 174

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, 2016; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT FOR THE DEPARTMENT OF EDUCATION -
14 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
15 APPROPRIATION FOR THE 2015-2016 FISCAL
16 YEAR.
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department of
23 Education, to be payable from the Department of Education Public School Fund
24 Account, for grants and aid to local school districts and special programs
25 of the Department of Education for the fiscal year ending June 30, 2016, the
26 following:
27

28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2015-2016</u>
30	(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
31	(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
32	HEALTH INSURANCE	\$15,000,000
33	(03) ADVANCED PLACEMENT INCENTIVE	825,000
34	(04) ALTERNATIVE LEARNING	24,812,881
35	(05) ARKANSAS EASTER SEALS	193,113
36	(06) ASSESSMENT/END OF LEVEL TESTING	22,250,189



1	(07)	AT RISK	1,988,530
2	(08)	BETTER CHANCE PROGRAM	111,000,000
3	(09)	BONDED DEBT ASSISTANCE	28,455,384
4	(10)	BROADBAND FACILITIES MATCHING GRANT	
5		PROGRAM	5,000,000
6	(11)	CONSOLIDATION INCENTIVE	5,868,900
7	(12)	CONTENT STANDARDS	161,000
8	(13)	CONTENTS STANDARDS CURRICULUM	
9		FRAMEWORKS	50,000
10	(14)	COOP EDUCATION TECH CENTERS	1,200,000
11	(15)	COORDINATED SCHOOL HEALTH	2,000,000
12	(16)	COURT ORDERED DESEGREGATION	65,794,267
13	(17)	CRIMINAL BACKGROUND CHECKS	25,000
14	(18)	DECLINING ENROLLMENT	13,963,389
15	(19)	DEPT OF CORRECTION	6,541,147
16	(20)	DISTANCE LEARNING	4,760,000
17	(21)	DISTANCE LEARNING OPERATIONS	7,575,000
18	(22)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
19	(23)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
20	(24)	ECONOMIC EDUCATION	400,000
21	(25)	EDUCATION SERVICE COOPERATIVES	6,129,270
22	(26)	ENGLISH LANGUAGE LEARNERS	14,284,735
23	(27)	GENERAL FACILITIES FUNDING	8,100,000
24	(28)	GIFTED & TALENTED	1,335,381
25	(29)	GRANTS TO SCHOOL DISTRICTS	67,856
26	(30)	HOME SCHOOL TESTING	250,000
27	(31)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
28	(32)	INTERNATIONAL BACCALAUREATE PROGRAM	75,000
29	(33)	INTERVENTION BLOCK GRANTS	302,000
30	(34)	ISOLATED FUNDING	7,896,000
31	(35)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
32	(36)	MASTER PRINCIPAL BONUS	208,000
33	(37)	NATIONAL BOARD OF PROF TEACHING	
34		STANDARDS	13,854,260
35	(38)	NATIONAL SCHOOL LUNCH	224,450,590
36	(39)	NON-TRADITIONAL LICENSURE	50,000

1	(40)	PROFESSIONAL DEVELOPMENT FUNDING	16,186,268
2	(41)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
3	(42)	RESIDENTIAL CENTERS/JUVENILE	
4		DETENTION	16,345,087
5	(43)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
6	(44)	SCHOOL FOOD SERVICES	1,650,000
7	(45)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
8	(46)	SCHOOL FUNDING CONTINGENCY	25,000,000
9	(47)	SCHOOL RECOGNITION	7,000,000
10	(48)	SCHOOL WORKER DEFENSE	390,000
11	(49)	SERIOUS OFFENDER	1,716,859
12	(50)	SMART START/SMART STEP	10,666,303
13	(51)	SPECIAL EDUCATION SERVICES	2,802,527
14	(52)	SPECIAL EDUCATION-CATASTROPHIC	11,000,000
15	(53)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
16	(54)	STATE FOUNDATION FUNDING	2,009,440,423
17	(55)	STUDENT GROWTH	37,690,144
18	(56)	SUPPLEMENTAL MILLAGE	10,000,000
19	(57)	SURPLUS COMMODITIES	1,125,065
20	(58)	TEACHER LICENSING/MENTORING	5,065,758
21	(59)	TEACHER OF THE YEAR	100,000
22	(60)	TEACHER RECRUITMENT	2,100,000
23	(61)	TEACHER RETIREMENT MATCHING	10,730,500
24	(62)	TECHNOLOGY GRANTS	3,602,678
25	(63)	TECHNOLOGY IMPROVEMENTS	500,000
26	(64)	WORKER'S COMPENSATION	450,000
27	(65)	YOUTH SHELTERS	<u>165,000</u>
28		TOTAL AMOUNT APPROPRIATED	<u>\$2,882,016,174</u>

29

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

31 There is hereby established for the Department of Education - Arkansas Public
 32 School Computer Network for the 2015-2016 fiscal year, the following maximum
 33 number of regular employees.

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35

36

	Maximum Annual
Maximum	Salary Rate

Item	Class	No. of	Fiscal Year
No.	Code Title	Employees	2015-2016
(1)	N047N ADE APSCN DIRECTOR	1	GRADE N908
(2)	G012C ADE ASSISTANT TO COMMISSIONER	3	GRADE C129
(3)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE C128
(4)	D006C SOFTWARE ENGINEER LEAD	1	GRADE C128
(5)	D012C DATABASE SPECIALIST	1	GRADE C127
(6)	G050C ADE APSCN DIVISION MANAGER	2	GRADE C126
(7)	D105C ADE STATE NETWORK ENGINEER	1	GRADE C126
(8)	D104C ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE C126
(9)	D037C ADE APSCN APPLICATIONS MANAGER	3	GRADE C124
(10)	D042C DATA WAREHOUSE SPECIALIST	1	GRADE C123
(11)	D038C SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE C123
(12)	D055C ADE APSCN FIELD ANALYST	25	GRADE C121
(13)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE C119
(14)	A089C ACCOUNTANT I	1	GRADE C116
(15)	D075C SOFTWARE SUPPORT SPECIALIST	1	GRADE C116
(16)	C020C STUDENT APPLICATIONS SPECIALIST	3	GRADE C116
(17)	C037C ADMINISTRATIVE ANALYST	1	GRADE C115
(18)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE C115
(19)	D077C HELP DESK SPECIALIST	1	GRADE C115
(20)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
	MAX. NO. OF EMPLOYEES	51	

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, 2016, the following:

ITEM	FISCAL YEAR
NO.	2015-2016
(01) REGULAR SALARIES	\$2,594,987
(02) PERSONAL SERVICES MATCHING	820,824
(03) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	19,245,839
2	(B) CONF. & TRAVEL	7,250
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	200,000
5	(E) DATA PROC.	0
6	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$23,168,900</u>

8

9 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 10 is hereby established for the Department of Education - Office of Education
 11 Renewal Zones for the 2015-2016 fiscal year, the following maximum number of
 12 regular employees.

13

14			Maximum Annual
15		Maximum	Salary Rate
16	Item Class	No. of	Fiscal Year
17	<u>No. Code Title</u>	<u>Employees</u>	<u>2015-2016</u>
18	(1) E007C ADE OERZ DIRECTOR	1	GRADE C126
19	(2) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3	GRADE C122
20	(3) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
21	MAX. NO. OF EMPLOYEES	5	

22

23 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 24 hereby appropriated, to the Department of Education, to be payable from the
 25 Department of Education Public School Fund Account, for personal services,
 26 operating expenses and grants by the Department of Education - Office of
 27 Education Renewal Zones for the fiscal year ending June 30, 2016, the
 28 following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2015-2016</u>
32	(01) REGULAR SALARIES	\$251,647
33	(02) PERSONAL SERVICES MATCHING	79,858
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	91,800
36	(B) CONF. & TRAVEL	13,000

1	(C) PROF. FEES	306,900
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	0
4	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>717,450</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,460,655</u></u>

6

7 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND
 9 FACILITIES MATCHING GRANT PROGRAM - RESTRICTIONS AND MATCHING FUNDS. (i) The
 10 appropriation in this Act for the Broadband Facilities Matching Grant Program
 11 shall not be used for Arkansas Research and Education Optical Network (AREON)
 12 or Middle Mile Connectivity.

13 (ii) The funds appropriated for state match for the Broadband
 14 Facilities Matching Grant Program in this Act shall be paid on a one-to-one
 15 state/local matching basis.

16 The provisions of this section shall be in effect only from July 1,
 17 ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

18

19 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Any
 21 unexpended balance of monies allocated for the Broadband Facilities Matching
 22 Grant Program remaining on June 30, ~~2015~~ 2016, in the Department of Education
 23 Public School Fund Account shall be designated and retained for the Broadband
 24 Facilities Matching Grant Program.

25 Any carry forward of unexpected balance of funding as authorized herein, may
 26 be carried forward under the following conditions:

27 (1) Prior to June 30, ~~2015~~ 2016 the Agency shall by written statement
 28 set forth its reason(s) for the need to carry forward said funding to the
 29 Department of Finance and Administration Office of Budget;

30 (2) The Department of Finance and Administration Office of Budget shall
 31 report to the Arkansas Legislative Council all amounts carried forward by the
 32 September Arkansas Legislative Council or Joint Budget Committee meeting
 33 which report shall include the name of the Agency, Board, Commission or
 34 Institution and the amount of the funding carried forward, the program name
 35 or line item, the funding source of that appropriation and a copy of the
 36 written request set forth in item (1) above;

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

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

13 The provisions of this section shall be in effect only from July 1,
 14 ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

15
 16 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 18 ALLOCATION. The appropriation for the Isolated Funding line item in Section 1
 19 of this Act may be fully funded. Any funding and appropriation for Isolated
 20 Funding that is not utilized shall be transferred to the appropriation for
 21 Special Needs Isolated Funding in Section 1 of this Act and shall be used
 22 there for fully funding each subsection (c) through (f) of Arkansas Code
 23 §6-20-604 on a pro rata basis until the available funds are exhausted. Pro
 24 rata basis is defined as providing each district qualifying for additional
 25 funding under subsections (c) through (f) a proportionate share based on how
 26 each district's additional funding amount bears to the total additional
 27 funding amounts for all qualifying districts. If any funding and
 28 appropriation remains after funding each subsection (c) through (f) of
 29 Arkansas Code §6-20-604 the remaining balance shall be used to fund the
 30 provisions of Arkansas Code §6-20-604 (h) on an equal basis until the
 31 available funds are exhausted.

32 The provisions of this section shall be in effect only from July 1, ~~2014~~
 33 2015 through June 30, ~~2015~~ 2016.

34
 35 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO

1 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
2 Districts appropriation in Section 1 of this Act, "school district" means a
3 school district which contracts with a school district in an adjoining state
4 for the education of some of the pupils within the Arkansas school district
5 because the portion of the school district wherein such pupils live is
6 completely separated from the remainder of the school district by a reservoir
7 covering at least 12,000 acres at normal water level, and where to attend
8 school in their own district, the pupils of said portion would be required to
9 travel or to be transported a distance (measured by the nearest highway or
10 road route) of more than 35 miles round trip and pass through another school
11 district or districts. The Department of Education shall distribute the
12 monies appropriated for Grants to School Districts in Section 1 of this Act
13 to such school districts as reimbursement for expenses incurred in educating
14 the pupils residing in the separated portion of the school district. The
15 payments are to be limited to the amount of available appropriation. Such
16 school districts shall file a request for reimbursement with the Department
17 of Education and provide the Department of Education with such documentation
18 as is deemed necessary.

19 The provisions of this section shall be in effect only from July 1, ~~2014~~
20 2015 through June 30, ~~2015~~ 2016.

21
22 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
24 EDUCATION SERVICES. The funds appropriated in the line item "Special
25 Education Services" in Section 1 of this Act shall be used to provide
26 extended year summer programs for handicapped students in need of such
27 services, to provide special education services to foster children who are
28 wards of the State, and to provide funds for the payment of salaries of
29 special education supervisors. The Department of Education shall distribute
30 such funds in the manner necessary to carry out the intent of this Section.

31 The provisions of this section shall be in effect only from July 1, ~~2014~~
32 2015 through June 30, ~~2015~~ 2016.

33
34 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

36 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each

1 fiscal year thereafter, the Department of Education shall from time to time
 2 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
 3 State, the amount of funds disbursed or approved to be disbursed by the
 4 Department of Education for desegregation expenses under any "Desegregation
 5 Settlement Agreement". Upon the receipt of such certification, the State
 6 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
 7 202(b)(2)(B), shall also deduct from the net general revenues the amount
 8 certified and transfer this amount to the Department of Education Public
 9 School Fund Account there to be used exclusively for payment of or
 10 reimbursement for expenses incurred from the Department of Education Public
 11 School Fund Account under any "Desegregation Settlement Agreement".

12 The provisions of this section shall be in effect only from July 1,
 13 2015 through June 30, 2016.

14

15 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 17 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
 18 Incentive shall be allocated in accordance with rules and regulations
 19 established by the State Board of Education.

20 The provisions of this section shall be in effect only from July 1, ~~2014~~
 21 2015 through June 30, ~~2015~~ 2016.

22

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

28 The provisions of this section shall be in effect only from July 1, ~~2014~~
 29 2015 through June 30, ~~2015~~ 2016.

30

31 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 33 AUTHORITY. The Commissioner of the Department of Education, with the approval
 34 of the Chief Fiscal Officer of the State and after approval by the Arkansas
 35 Legislative Council or Joint Budget Committee, is hereby authorized to
 36 request necessary appropriation transfers and any other budget related

1 adjustments necessary within the Department of Education. Provided, however,
 2 that the Department of Education shall be limited to submitting no more than
 3 two transfer requests during any fiscal year.

4 Determining the maximum number of employees and the maximum amount of
 5 appropriation and general revenue funding for a state agency each fiscal year
 6 is the prerogative of the General Assembly. This is usually accomplished by
 7 delineating such maximums in the appropriation act(s) for a state agency and
 8 the general revenue allocations authorized for each fund and fund account by
 9 amendment to the Revenue Stabilization law. Further, the General Assembly
 10 has determined that the Department of Education may operate more efficiently
 11 if some flexibility is provided to the Commissioner of the Department of
 12 Education authorizing broad powers under the Transfer Authority provision
 13 herein. Therefore, it is both necessary and appropriate that the General
 14 Assembly maintain oversight by requiring prior approval of the Legislative
 15 Council or Joint Budget Committee as provided by this section. The
 16 requirement of approval by the Legislative Council or Joint Budget Committee
 17 is not a severable part of this section. If the requirement of approval by
 18 the Legislative Council or Joint Budget Committee is ruled unconstitutional
 19 by a court jurisdiction, this entire section is void.

20 The provisions of this section shall be in effect only from July 1, ~~2014~~
 21 2015 through June 30, ~~2015~~ 2016.

22
 23 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
 25 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
 26 authorized herein to the Department of Education for the Quiz Bowl each
 27 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each
 28 fiscal year may be made available to the Department of Education -
 29 Educational Television Division for its documented costs associated with the
 30 Quiz Bowl.

31 The provisions of this section shall be in effect only from July 1, ~~2014~~
 32 2015 through June 30, ~~2015~~ 2016.

33
 34 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 36 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item

1 "Distressed School District Support" in Section 1 of this Act may be used for
 2 technical assistance offered by the Department of Education to school
 3 districts in academic distress that can include, but is not limited to,
 4 teacher specialists, principal specialists, and other personnel assigned by
 5 the department. These funds may also be used for alternative research-based
 6 technical assistance or programs. Criteria for selecting and approving
 7 alternative research-based technical assistance or programs are to be
 8 promulgated as a rule by the State Board of Education, provided that
 9 alternative staffing and/or compensation programs for teachers shall be
 10 approved by at least a majority of the teachers in the school, schools, or
 11 school district participating in the program.

12 The provisions of this section shall be in effect only from July 1, ~~2014~~
 13 2015 through June 30, ~~2015~~ 2016.

14
 15 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

17 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
 18 Districts shall pay the teacher retirement employer contribution rate for any
 19 eligible employee in accordance with rules and regulations established by the
 20 Teacher Retirement Board of Directors. The appropriation contained herein for
 21 Teacher Retirement Matching each fiscal year shall be used to provide the
 22 employer matching for employees of the Cooperative Education Services Areas,
 23 Vocational Centers, Arkansas Easter Seals and the school operated by the
 24 Department of Correction.

25 The provisions of this section shall be in effect only from July 1, ~~2014~~
 26 2015 through June 30, ~~2015~~ 2016.

27
 28 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN-
 30 ENROLLMENT VIRTUAL CHARTER SCHOOL PROVISIONS.

31 (a)(1) Regardless of any provision of law to the contrary, a school
 32 district or public charter school shall remit to the Department of Education
 33 the foundation funding amount for the ~~2014~~ 2015 ~~2015~~ 2016 school year and
 34 each school year thereafter for a student who is counted in the school
 35 district's or public charter school's average daily membership for the
 36 previous school year but who is attending an open-enrollment public virtual

1 charter school that uses internet, long-distance, or virtual technology as
2 the primary method of teaching.

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

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

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

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

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

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

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

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

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

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

36 (f) The provisions of this section shall be in effect only from July

1 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

2
3 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
5 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
6 authorized to expend a maximum of two percent (2%) of available funds for
7 administration of the Better Chance Program. Up to 1.8% of available funds
8 shall be used to administer the program and to monitor program grantees to
9 ensure compliance with programmatic standards. Prior to the utilization of
10 the remaining 0.2% of available funds, the Department of Education shall seek
11 prior review and approval of the Arkansas Legislative Council or Joint Budget
12 Committee by providing a written request to include the following: a) the
13 Department's reason(s) for the use of the funds and b) the amount of funds
14 that will be expended. The Department may contract with the Division of Child
15 Care and Early Childhood Education to administer the program.

16 Determining the maximum number of employees and the maximum amount of
17 appropriation and general revenue funding for a state agency each fiscal year
18 is the prerogative of the General Assembly. This is usually accomplished by
19 delineating such maximums in the appropriation act(s) for a state agency and
20 the general revenue allocations authorized for each fund and fund account by
21 amendment to the Revenue Stabilization law. Therefore, it is both necessary
22 and appropriate that the General Assembly maintain oversight by requiring
23 prior approval of the Legislative Council or Joint Budget Committee as
24 provided by this section. The requirement of approval by the Legislative
25 Council or Joint Budget Committee is not a severable part of this section.
26 If the requirement of approval by the Legislative Council or Joint Budget
27 Committee is ruled unconstitutional by a court of competent jurisdiction,
28 this entire section is void.

29 The provisions of this section shall be in effect only from July 1, ~~2014~~
30 2015 through June 30, ~~2015~~ 2016.

31
32 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
34 TEACHER SALARY. The Arkansas Department of Education is requested to
35 calculate Average Teacher Salary in the Department's Annual Statistical
36 Report to not include extra duty funds. Specifically, the Department is

1 requested to calculate the Average Teacher Salary amount using the National
2 Education Association definitions for Average Salary for Classroom Teachers.
3 The Arkansas Department of Education shall submit this data annually to the
4 National Education Association in accordance with that organization's
5 deadlines for submission for their report "Rankings and Estimates" which
6 includes state-by-state teacher salary comparisons.

7 The provisions of this section shall be in effect only from July 1,
8 2015 through June 30, 2016.

9
10 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
12 FORWARD. Any unexpended balance of monies allocated for the Arkansas Better
13 Chance for School Success Program remaining on June 30, ~~2015~~ 2016, in the
14 Department of Education Public School Fund Account shall be designated and
15 retained for the Arkansas Better Chance for School Success Program.

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

18 (1) Prior to June 30, ~~2015~~ 2016 the Agency shall by written statement set
19 forth its reason(s) for the need to carry forward said funding to the
20 Department of Finance and Administration Office of Budget;

21 (2) The Department of Finance and Administration Office of Budget shall
22 report to the Arkansas Legislative Council all amounts carried forward by the
23 September Arkansas Legislative Council or Joint Budget Committee meeting
24 which report shall include the name of the Agency, Board, Commission or
25 Institution and the amount of the funding carried forward, the program name
26 or line item, the funding source of that appropriation and a copy of the
27 written request set forth in (1) above;

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

36 (4) Thereupon, the Department of Finance and Administration shall include

1 all information obtained in item (3) above in the budget manuals and/or a
2 statement of non-compliance by the Agency, Board, Commission or Institution.

3 The provisions of this section shall be in effect only from July 1, ~~2014~~
4 2015 through June 30, ~~2015~~ 2016.

5
6 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
8 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the
9 Department of Finance and Administration may use up to eleven dollars and
10 twenty cents (\$11.20) from each contribution made under Arkansas Code
11 §6-17-1117 (a) to offset the cost of health insurance premiums to eligible
12 members electing to participate in the public school employees' health
13 insurance program as a retiree.

14 The provisions of this section shall be in effect only from July 1,
15 2015 through June 30, 2016.

16
17 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
20 shall transfer on his books and those of the State Treasurer and the State
21 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
22 fiscal year from the Department of Education Public School Fund Account to
23 the University of Arkansas at Little Rock Fund, specifically to provide
24 funding for the Arkansas/STRIVE Program. The total amount of funds
25 transferred each fiscal year pursuant to this section shall not be subject to
26 any indirect costs by the University of Arkansas at Little Rock.

27 The provisions of this section shall be in effect only from July 1, ~~2014~~
28 2015 through June 30, ~~2015~~ 2016.

29
30 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
32 INSURANCE. The appropriation contained herein for Public School Employee
33 Insurance each fiscal year shall be used to provide the state contribution
34 for insurance premiums for employees of the Cooperative Education Services
35 Areas, Vocational Centers, and the school operated by the Department of
36 Correction who participate in the Arkansas Public School Life and Health

1 Insurance Program.

2 The provisions of this section shall be in effect only from July 1, ~~2014~~
 3 2015 through June 30, ~~2015~~ 2016.

4

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

7 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
 8 funding for Alternative Learning Environment Programs in excess of the
 9 regulatory limitation of six (6) hours per day for those programs that
 10 operate more than twelve hours per day, in a proportionate manner and upon
 11 special request to the Department of Education.

12 The provisions of this section shall be in effect only from July 1, ~~2014~~
 13 2015 through June 30, ~~2015~~ 2016.

14

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

17 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
 18 public schools, or for abortion services. Funds shall be expended in
 19 accordance with Arkansas Code Annotated §6-18-703.

20 The provisions of this section shall be in effect only from July 1, ~~2014~~
 21 2015 through June 30, ~~2015~~ 2016.

22

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

25 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.

26 Effective for the plan year beginning January 1, ~~2014~~ 2015, if ninety-eight
 27 percent (98%) of the uniform rate of tax used in the calculation of State
 28 Foundation Funding Aid for fiscal year ~~2013-2014~~ 2015-2016 exceeds nine
 29 hundred twenty million seven hundred thirty-one thousand eight hundred
 30 nineteen dollars (\$920,731,819), the Department of Education shall pay up to
 31 fifteen million dollars (\$15,000,000) of the total increase over the nine
 32 hundred twenty million seven hundred thirty-one thousand eight hundred
 33 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the
 34 Department of Finance and Administration in additional health insurance
 35 contributions for eligible employees electing to participate in the public
 36 school employees' health insurance program administered by the State and

1 Public School Life and Health Insurance Board.

2 The Department of Education shall make the contributions by transferring
3 funds to the division in quarterly installments. Funds provided by the
4 Department of Education to the division under this section shall be
5 administered by the board for the benefit of the employee participants of the
6 public school employees' health insurance program.

7 The provisions of this section shall be in effect only from July 1, ~~2014~~
8 2015 through June 30, ~~2015~~ 2016.

9
10 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
12 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
13 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
14 addition to funds already being provided for the Arkansas Governor's School,
15 to fund the appropriation authorized from general revenue for the Gifted and
16 Talented program as appropriated in Section 1 herein. With this additional
17 funding the duration of the Arkansas Governor's School shall be extended from
18 four (4) weeks to six (6) weeks.

19 The provisions of this section shall be in effect only from July 1, ~~2014~~
20 2015 through June 30, ~~2015~~ 2016.

21
22 SECTION 29. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
23 authorized by this act shall be limited to the appropriation for such agency
24 and funds made available by law for the support of such appropriations; and
25 the restrictions of the State Procurement Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal
28 control laws of this State, where applicable, and regulations promulgated by
29 the Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.

31
32 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this act shall be in compliance with the stated reasons for
35 which this act was adopted, as evidenced by the Agency Requests, Executive
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.
4

5 SECTION 31. EMERGENCY CLAUSE. It is found and determined by the
6 General Assembly, that the Constitution of the State of Arkansas prohibits
7 the appropriation of funds for more than a one (1) year period; that the
8 effectiveness of this Act on July 1, 2015 is essential to the operation of
9 the agency for which the appropriations in this Act are provided, and that in
10 the event of an extension of the legislative session, the delay in the
11 effective date of this Act beyond July 1, 2015 could work irreparable harm
12 upon the proper administration and provision of essential governmental
13 programs. Therefore, an emergency is hereby declared to exist and this Act
14 being necessary for the immediate preservation of the public peace, health
15 and safety shall be in full force and effect from and after July 1, 2015.

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