

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

As Engrossed: S4/26/16
A Bill

SENATE BILL 58

5 By: Joint Budget Committee
6

7 **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, 2017; 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 2016-2017 FISCAL
17 YEAR.
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
23 Department of Education, to be payable from the Department of Education
24 Public School Fund Account, for grants and aid to local school districts and
25 special programs of the Department of Education for the fiscal year ending
26 June 30, 2017, the following:
27

28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2016-2017</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	25,940,361
35	(05) ARKANSAS EASTER SEALS	193,113
36	(06) ASSESSMENT/END OF LEVEL TESTING	23,350,681



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	6,645,135
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	14,570,430
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)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
27	(31)	INTERNATIONAL BACCALAUREATE PROGRAM	75,000
28	(32)	INTERVENTION BLOCK GRANTS	302,000
29	(33)	ISOLATED FUNDING	7,896,000
30	(34)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
31	(35)	MASTER PRINCIPAL BONUS	208,000
32	(36)	NATIONAL BOARD OF PROF TEACHING	
33		STANDARDS	13,928,542
34	(37)	NATIONAL SCHOOL LUNCH	235,503,568
35	(38)	NON-TRADITIONAL LICENSURE	50,000
36	(39)	PROFESSIONAL DEVELOPMENT FUNDING	16,293,119

1	(40)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
2	(41)	RESIDENTIAL CENTERS/JUVENILE	
3		DETENTION	16,345,087
4	(42)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
5	(43)	SCHOOL FOOD SERVICES	1,650,000
6	(44)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
7	(45)	SCHOOL FUNDING CONTINGENCY	25,000,000
8	(46)	SCHOOL RECOGNITION	10,000,000
9	(47)	SCHOOL WORKER DEFENSE	390,000
10	(48)	SERIOUS OFFENDER	1,716,859
11	(49)	SMART START/SMART STEP	11,506,303
12	(50)	SPECIAL EDUCATION SERVICES	2,802,527
13	(51)	SPECIAL EDUCATION-CATASTROPHIC	11,000,000
14	(52)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
15	(53)	STATE FOUNDATION FUNDING	2,053,194,376
16	(54)	STUDENT GROWTH	37,690,144
17	(55)	SUPPLEMENTAL MILLAGE	10,000,000
18	(56)	SURPLUS COMMODITIES	1,125,065
19	(57)	TEACHER LICENSING/MENTORING	5,065,758
20	(58)	TEACHER OF THE YEAR	100,000
21	(59)	TEACHER RECRUITMENT	2,100,000
22	(60)	TEACHER RETIREMENT MATCHING	11,803,550
23	(61)	TECHNOLOGY GRANTS	3,602,678
24	(62)	TECHNOLOGY IMPROVEMENTS	500,000
25	(63)	WORKER'S COMPENSATION	450,000
26	(64)	YOUTH SHELTERS	165,000
27	(65)	ENHANCED TRANSPORTATION FUNDING	3,000,000
28	(66)	OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL	
29		FACILITIES FUNDING AID PROGRAM	<u>\$ 15,000,000</u>
30		TOTAL AMOUNT APPROPRIATED	<u>\$2,962,284,943</u>

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

33 There is hereby established for the Department of Education - Arkansas Public
 34 School Computer Network for the 2016-2017 fiscal year, the following maximum
 35 number of regular employees.

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Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
(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, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) REGULAR SALARIES	\$2,596,187

1	(02) PERSONAL SERVICES MATCHING	821,215
2	(03) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	19,245,839
4	(B) CONF. & TRAVEL	7,250
5	(C) PROF. FEES	0
6	(D) CAP. OUTLAY	200,000
7	(E) DATA PROC.	0
8	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$23,170,491</u>

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11 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 12 is hereby established for the Department of Education - Office of Education
 13 Renewal Zones for the 2016-2017 fiscal year, the following maximum number of
 14 regular employees.

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16			Maximum Annual
17		Maximum	Salary Rate
18	Item Class	No. of	Fiscal Year
19	<u>No. Code Title</u>	<u>Employees</u>	<u>2016-2017</u>
20	(1) E007C ADE OERZ DIRECTOR	1	GRADE C126
21	(2) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3	GRADE C122
22	(3) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
23	MAX. NO. OF EMPLOYEES	5	

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25 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 26 hereby appropriated, to the Department of Education, to be payable from the
 27 Department of Education Public School Fund Account, for personal services,
 28 operating expenses and grants by the Department of Education - Office of
 29 Education Renewal Zones for the fiscal year ending June 30, 2017, the
 30 following:

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32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2016-2017</u>
34	(01) REGULAR SALARIES	\$252,247
35	(02) PERSONAL SERVICES MATCHING	79,988
36	(03) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	91,800
2	(B) CONF. & TRAVEL	13,000
3	(C) PROF. FEES	306,900
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	0
6	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>717,450</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,461,385</u></u>

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

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

18 The provisions of this section shall be in effect only from July 1, ~~2015~~
 19 2016 through June 30, ~~2016~~ 2017.

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21 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND
 23 FACILITIES MATCHING GRANT PROGRAM - CARRY FORWARD. Any unexpended balance of
 24 monies allocated for the Broadband Facilities Matching Grant Program
 25 remaining on June 30, ~~2016~~ 2017, in the Department of Education Public School
 26 Fund Account shall be designated and retained for the Broadband Facilities
 27 Matching Grant Program.

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

30 (1) Prior to June 30, ~~2016~~ 2017 the Agency shall by written statement
 31 set forth its reason(s) for the need to carry forward said funding to the
 32 Department of Finance and Administration Office of Budget;

33 (2) The Department of Finance and Administration Office of Budget shall
 34 report to the Arkansas Legislative Council all amounts carried forward by the
 35 September Arkansas Legislative Council or Joint Budget Committee meeting
 36 which report shall include the name of the Agency, Board, Commission or

1 Institution and the amount of the funding carried forward, the program name
2 or line item, the funding source of that appropriation and a copy of the
3 written request set forth in item (1) above;

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

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

16 The provisions of this section shall be in effect only from July 1, ~~2015~~
17 2016 through June 30, ~~2016~~ 2017.

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

35 The provisions of this section shall be in effect only from July 1, ~~2015~~
36 2016 through June 30, ~~2016~~ 2017.

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2 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
4 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
5 Districts appropriation in Section 1 of this Act, "school district" means a
6 school district which contracts with a school district in an adjoining state
7 for the education of some of the pupils within the Arkansas school district
8 because the portion of the school district wherein such pupils live is
9 completely separated from the remainder of the school district by a reservoir
10 covering at least 12,000 acres at normal water level, and where to attend
11 school in their own district, the pupils of said portion would be required to
12 travel or to be transported a distance (measured by the nearest highway or
13 road route) of more than 35 miles round trip and pass through another school
14 district or districts. The Department of Education shall distribute the
15 monies appropriated for Grants to School Districts in Section 1 of this Act
16 to such school districts as reimbursement for expenses incurred in educating
17 the pupils residing in the separated portion of the school district. The
18 payments are to be limited to the amount of available appropriation. Such
19 school districts shall file a request for reimbursement with the Department
20 of Education and provide the Department of Education with such documentation
21 as is deemed necessary.

22 The provisions of this section shall be in effect only from July 1, ~~2015~~
23 2016 through June 30, ~~2016~~ 2017.

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

34 The provisions of this section shall be in effect only from July 1, ~~2015~~
35 2016 through June 30, ~~2016~~ 2017.

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1 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
4 fiscal year thereafter, the Department of Education shall from time to time
5 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
6 State, the amount of funds disbursed or approved to be disbursed by the
7 Department of Education for desegregation expenses under any "Desegregation
8 Settlement Agreement". Upon the receipt of such certification, the State
9 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
10 202(b)(2)(B), shall also deduct from the net general revenues the amount
11 certified and transfer this amount to the Department of Education Public
12 School Fund Account there to be used exclusively for payment of or
13 reimbursement for expenses incurred from the Department of Education Public
14 School Fund Account under any "Desegregation Settlement Agreement".

15 The provisions of this section shall be in effect only from July 1, ~~2015~~
16 2016 through June 30, ~~2016~~ 2017.

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

23 The provisions of this section shall be in effect only from July 1, ~~2015~~
24 2016 through June 30, ~~2016~~ 2017.

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

31 The provisions of this section shall be in effect only from July 1, ~~2015~~
32 2016 through June 30, ~~2016~~ 2017.

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34 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
36 AUTHORITY. The Commissioner of the Department of Education, with the approval

1 of the Chief Fiscal Officer of the State and after approval by the Arkansas
2 Legislative Council or Joint Budget Committee, is hereby authorized to
3 request necessary appropriation transfers and any other budget related
4 adjustments necessary within the Department of Education. Provided, however,
5 that the Department of Education shall be limited to submitting no more than
6 two transfer requests during any fiscal year.

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

23 The provisions of this section shall be in effect only from July 1, ~~2015~~
24 2016 through June 30, ~~2016~~ 2017.

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

34 The provisions of this section shall be in effect only from July 1, ~~2015~~
35 2016 through June 30, ~~2016~~ 2017.

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1 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
4 "Distressed School District Support" in Section 1 of this Act may be used for
5 technical assistance offered by the Department of Education to school
6 districts in academic distress that can include, but is not limited to,
7 teacher specialists, principal specialists, and other personnel assigned by
8 the department. These funds may also be used for alternative research-based
9 technical assistance or programs. Criteria for selecting and approving
10 alternative research-based technical assistance or programs are to be
11 promulgated as a rule by the State Board of Education, provided that
12 alternative staffing and/or compensation programs for teachers shall be
13 approved by at least a majority of the teachers in the school, schools, or
14 school district participating in the program.

15 The provisions of this section shall be in effect only from July 1, ~~2015~~
16 2016 through June 30, ~~2016~~ 2017.

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18 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
20 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
21 Districts shall pay the teacher retirement employer contribution rate for any
22 eligible employee in accordance with rules and regulations established by the
23 Teacher Retirement Board of Directors. The appropriation contained herein for
24 Teacher Retirement Matching each fiscal year shall be used to provide the
25 employer matching for employees of the Cooperative Education Services Areas,
26 Vocational Centers, Arkansas Easter Seals and the school operated by the
27 Department of Correction.

28 The provisions of this section shall be in effect only from July 1, ~~2015~~
29 2016 through June 30, ~~2016~~ 2017.

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31 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
33 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
34 authorized to expend a maximum of two percent (2%) of available funds for
35 administration of the Better Chance Program. Up to 1.8% of available funds
36 shall be used to administer the program and to monitor program grantees to

1 ensure compliance with programmatic standards. Prior to the utilization of
2 the remaining 0.2% of available funds, the Department of Education shall seek
3 prior review and approval of the Arkansas Legislative Council or Joint Budget
4 Committee by providing a written request to include the following: a) the
5 Department's reason(s) for the use of the funds and b) the amount of funds
6 that will be expended. The Department may contract with the Division of Child
7 Care and Early Childhood Education to administer the program.

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

21 The provisions of this section shall be in effect only from July 1, ~~2015~~
22 2016 through June 30, ~~2016~~ 2017.

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

35 The provisions of this section shall be in effect only from July 1, ~~2015~~
36 2016 through June 30, ~~2016~~ 2017.

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SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated for the Arkansas Better Chance for School Success Program remaining on June 30, ~~2016~~ 2017, in the Department of Education Public School Fund Account shall be designated and retained for the Arkansas Better Chance for School Success Program.

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

(1) Prior to June 30, ~~2016~~ 2017 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

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

1 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the
2 Department of Finance and Administration may use up to eleven dollars and
3 twenty cents (\$11.20) from each contribution made under Arkansas Code
4 §6-17-1117(a) to offset the cost of health insurance premiums to eligible
5 members electing to participate in the public school employees' health
6 insurance program as a retiree.

7 The provisions of this section shall be in effect only from July 1, ~~2015~~
8 2016 through June 30, ~~2016~~ 2017.

9

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

12 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
13 shall transfer on his books and those of the State Treasurer and the State
14 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
15 fiscal year from the Department of Education Public School Fund Account to
16 the University of Arkansas at Little Rock Fund, specifically to provide
17 funding for the Arkansas/STRIVE Program. The total amount of funds
18 transferred each fiscal year pursuant to this section shall not be subject to
19 any indirect costs by the University of Arkansas at Little Rock.

20 The provisions of this section shall be in effect only from July 1, ~~2015~~
21 2016 through June 30, ~~2016~~ 2017.

22

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

25 INSURANCE. The appropriation contained herein for Public School Employee
26 Insurance each fiscal year shall be used to provide the state contribution
27 for insurance premiums for employees of the Cooperative Education Services
28 Areas, Vocational Centers, and the school operated by the Department of
29 Correction who participate in the Arkansas Public School Life and Health
30 Insurance Program.

31 The provisions of this section shall be in effect only from July 1, ~~2015~~
32 2016 through June 30, ~~2016~~ 2017.

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

36 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide

1 funding for Alternative Learning Environment Programs in excess of the
2 regulatory limitation of six (6) hours per day for those programs that
3 operate more than twelve hours per day, in a proportionate manner and upon
4 special request to the Department of Education.

5 The provisions of this section shall be in effect only from July 1, ~~2015~~
6 2016 through June 30, ~~2016~~ 2017.

7
8 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
10 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
11 public schools, or for abortion services. Funds shall be expended in
12 accordance with Arkansas Code Annotated §6-18-703.

13 The provisions of this section shall be in effect only from July 1, ~~2015~~
14 2016 through June 30, ~~2016~~ 2017.

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

18 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.
19 Effective for the plan year beginning January 1, ~~2015~~ 2016, if ninety-eight
20 percent (98%) of the uniform rate of tax used in the calculation of State
21 Foundation Funding Aid for fiscal year ~~2015-2016~~ 2016-2017 exceeds nine
22 hundred twenty million seven hundred thirty-one thousand eight hundred
23 nineteen dollars (\$920,731,819), the Department of Education shall pay up to
24 fifteen million dollars (\$15,000,000) of the total increase over the nine
25 hundred twenty million seven hundred thirty-one thousand eight hundred
26 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the
27 Department of Finance and Administration in additional health insurance
28 contributions for eligible employees electing to participate in the public
29 school employees' health insurance program administered by the State and
30 Public School Life and Health Insurance Board.

31 The Department of Education shall make the contributions by transferring
32 funds to the division in quarterly installments. Funds provided by the
33 Department of Education to the division under this section shall be
34 administered by the board for the benefit of the employee participants of the
35 public school employees' health insurance program.

36 The provisions of this section shall be in effect only from July 1, ~~2015~~

1 2016 through June 30, ~~2016~~ 2017.

2
3 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
5 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
6 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
7 addition to funds already being provided for the Arkansas Governor's School,
8 to fund the appropriation authorized from general revenue for the Gifted and
9 Talented program as appropriated in Section 1 herein. With this additional
10 funding the duration of the Arkansas Governor's School shall be extended from
11 four (4) weeks to six (6) weeks.

12 The provisions of this section shall be in effect only from July 1, ~~2015~~
13 2016 through June 30, ~~2016~~ 2017.

14
15 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
17 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
18 each fiscal year, an amount of not less than three million five thousand
19 dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each
20 fiscal year, shall be awarded through a grant or professional services
21 contract for the EAST Initiative. Not less than one million dollars
22 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or
23 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST
24 Initiatives shall be used for EAST infrastructure and personnel growth for
25 the establishment of new programs. The remaining funding shall be used for
26 existing EAST infrastructure, personnel, and operating expenses of the EAST
27 Initiative. The EAST infrastructure grant or contract for personal services
28 and operating expenses shall be awarded to an entity that has personnel or
29 experience, or both, in implementing the EAST Initiative.

30 The provisions of this section shall be in effect only from July 1,
31 2016 through June 30, 2017.

32
33 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
35 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
36 shall make available from the Intervention Block Grants appropriation

1 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
2 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
3 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for
4 grants up to \$1,000 each for students and chaperones, thirteen thousand five
5 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one
6 hundred thousand dollars (\$100,000) each fiscal year for the State History
7 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year
8 for a grant to the Arkansas Science Fair Association for grants to regional
9 and the state science fairs. The Department of Education shall allocate
10 General Revenue funding totaling no less than three hundred two thousand
11 dollars (\$302,000) each fiscal year from the Department of Education Public
12 School Fund Account to support the annual expenses of the Quiz Bowl, the
13 Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and
14 chaperones, Destination Imagination, the State History Day Competition, and
15 the Arkansas Science Fair Association for grants to regional and state
16 science fairs. The Department shall either expend or have committed for
17 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,
18 Inc., Destination Imagination, the State History Day Competition, and
19 Arkansas Science Fair Association grants as authorized herein in order to
20 fulfill the provisions of this section.

21 The provisions of this section shall be in effect only from July 1, ~~2015~~
22 2016 through June 30, ~~2016~~ 2017.

23

24 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
26 SCHOOL DISTRICT ISOLATED - BASE FUNDING UNDER CERTAIN CIRCUMSTANCES.

27 (a) The amount of funding a school district receives under either § 6-
28 20-604(c) and (h) or § 6-20-604(d) and (h) in the fiscal year 2014-2015 shall
29 become the base year funding for fiscal year 2015-2016 if a school district
30 meets the following requirements in the 2014-2015 fiscal year and all of the
31 following requirements except for population density ratio in the 2015-2016
32 fiscal year:

33 (1) Either:

34 (A) Sections 6-20-604(b) and (c); or

35 (B) Sections 6-20-604(b) and (d); and

36 (2) Section 6-20-601.

1 (b) If after the 2015-2016 fiscal year, an increase in a school
2 district's population density ratio precludes funding under § 6-20-604(c) and
3 (h) or § 6-20-604(d) and (h), the amount of funding a school district shall
4 receive is the amount specified under subsection (a) of this section less ten
5 percent (10%) cumulative each year until the funding amount a school district
6 receives is the amount of funding the school district is eligible to receive
7 under:

8 (1) Sections 6-20-604(e) and (h); or

9 (2) Section 6-20-604(f).

10 The provisions of this section shall be in effect only from July 1, ~~2015~~
11 2016 through June 30, ~~2016~~ 2017.

12
13 SECTION 31. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
14 authorized by this act shall be limited to the appropriation for such agency
15 and funds made available by law for the support of such appropriations; and
16 the restrictions of the State Procurement Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, or their successors, and other fiscal
19 control laws of this State, where applicable, and regulations promulgated by
20 the Department of Finance and Administration, as authorized by law, shall be
21 strictly complied with in disbursement of said funds.

22
23 SECTION 32. LEGISLATIVE INTENT. It is the intent of the General
24 Assembly that any funds disbursed under the authority of the appropriations
25 contained in this act shall be in compliance with the stated reasons for
26 which this act was adopted, as evidenced by the Agency Requests, Executive
27 Recommendations and Legislative Recommendations contained in the budget
28 manuals prepared by the Department of Finance and Administration, letters, or
29 summarized oral testimony in the official minutes of the Arkansas Legislative
30 Council or Joint Budget Committee which relate to its passage and adoption.

31
32 SECTION 33. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly, that the Constitution of the State of Arkansas prohibits
34 the appropriation of funds for more than a one (1) year period; that the
35 effectiveness of this Act on July 1, 2016 is essential to the operation of
36 the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the legislative session, the delay in the
2 effective date of this Act beyond July 1, 2016 could work irreparable harm
3 upon the proper administration and provision of essential governmental
4 programs. Therefore, an emergency is hereby declared to exist and this Act
5 being necessary for the immediate preservation of the public peace, health
6 and safety shall be in full force and effect from and after July 1, 2016.

7
8 */s/Joint Budget Committee*
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