

1 State of Arkansas
2 91st General Assembly
3 Fiscal Session, 2018
4

A Bill

SENATE BILL 33

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, 2019; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
16 AND SPECIAL PROGRAMS APPROPRIATION FOR
17 THE 2018-2019 FISCAL 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 - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND
24 SPECIAL PROGRAMS. There is hereby appropriated, to the Department of
25 Education, to be payable from the Department of Education Public School Fund
26 Account, for grants and aid to local school districts and special programs of
27 the Department of Education for the fiscal year ending June 30, 2019, the
28 following:
29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2018-2019</u>
32	(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$34,500,000
33	(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE	15,000,000
34	(03) ADVANCED PLACEMENT INCENTIVE	825,000
35	(04) ALTERNATIVE LEARNING	26,394,317
36	(05) ARKANSAS EASTER SEALS	193,113



1	(06)	ASSESSMENT/END OF LEVEL TESTING	22,250,189
2	(07)	AT RISK	1,688,530
3	(08)	BETTER CHANCE PROGRAM	114,000,000
4	(09)	BONDED DEBT ASSISTANCE	28,455,384
5	(10)	COMPUTER SCIENCE INITIATIVE	2,500,000
6	(11)	CONSOLIDATION INCENTIVE	5,981,400
7	(12)	CONTENT STANDARDS	161,000
8	(13)	CONTENTS STANDARDS CURRICULUM FRAMEWORKS	50,000
9	(14)	COOP EDUCATION TECH CENTERS	1,200,000
10	(15)	COORDINATED SCHOOL HEALTH	2,000,000
11	(16)	COURT ORDERED DESEGREGATION	0
12	(17)	CRIMINAL BACKGROUND CHECKS	25,000
13	(18)	DECLINING ENROLLMENT	13,963,389
14	(19)	DEPARTMENT OF CORRECTION	6,734,451
15	(20)	DISTANCE LEARNING	4,760,000
16	(21)	DISTANCE LEARNING OPERATIONS	7,575,000
17	(22)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
18	(23)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
19	(24)	ECONOMIC EDUCATION	400,000
20	(25)	EDUCATION SERVICE COOPERATIVES	6,129,270
21	(26)	ENGLISH LANGUAGE LEARNERS	16,353,943
22	(27)	ENHANCED TRANSPORTATION FUNDING	3,000,000
23	(28)	GENERAL FACILITIES FUNDING	8,100,000
24	(29)	GIFTED & TALENTED	1,485,381
25	(30)	GRANTS TO SCHOOL DISTRICTS	67,856
26	(31)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
27	(32)	INTERVENTION BLOCK GRANTS	302,000
28	(33)	ISOLATED FUNDING	7,896,000
29	(34)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
30	(35)	MASTER PRINCIPAL BONUS	208,000
31	(36)	NATIONAL BOARD OF PROF TEACHING STANDARDS	16,532,100
32	(37)	NATIONAL SCHOOL LUNCH	226,465,557
33	(38)	NON-TRADITIONAL LICENSURE	50,000
34	(39)	NSL MATCHING GRANT PROGRAM	4,300,000
35	(40)	OE CHARTER FAC FUNDING AID PRG	5,000,000
36	(41)	PROFESSIONAL DEVELOPMENT FUNDING	25,143,702

1	(42)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
2	(43)	R.I.S.E. ARKANSAS	1,100,000
3	(44)	RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
4	(45)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
5	(46)	SCHOOL FOOD SERVICES	1,650,000
6	(47)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
7	(48)	SCHOOL FUNDING CONTINGENCY	25,000,000
8	(49)	SCHOOL RECOGNITION	7,000,000
9	(50)	SCHOOL WORKER DEFENSE	390,000
10	(51)	SERIOUS OFFENDER	1,716,859
11	(52)	SMART START/SMART STEP	10,666,303
12	(53)	SPECIAL EDUCATION SERVICES	2,802,527
13	(54)	SPECIAL EDUCATION-CATASTROPHIC	13,020,000
14	(55)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
15	(56)	STATE FOUNDATION FUNDING	2,133,039,396
16	(57)	STUDENT GROWTH	37,690,144
17	(58)	SUPPLEMENTAL MILLAGE	10,000,000
18	(59)	SURPLUS COMMODITIES	1,125,065
19	(60)	TEACHER LICENSING/MENTORING	6,065,758
20	(61)	TEACHER OF THE YEAR	100,000
21	(62)	TEACHER RECRUITMENT	2,100,000
22	(63)	TEACHER RETIREMENT MATCHING	10,529,852
23	(64)	TECHNOLOGY GRANTS	3,602,678
24	(65)	TECHNOLOGY IMPROVEMENTS	500,000
25	(66)	WORKER'S COMPENSATION	450,000
26	(67)	YOUTH SHELTERS	<u>165,000</u>
27		TOTAL AMOUNT APPROPRIATED	<u>\$2,973,671,921</u>

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

30 There is hereby established for the Department of Education - Arkansas Public
 31 School Computer Network for the 2018-2019 fiscal year, the following maximum
 32 number of regular employees.

33

34			Maximum Annual
35		Maximum	Salary Rate
36	Item Class	No. of	Fiscal Year

	No.	Code	Title	Employees	2018-2019
2	(1)	N047N	ADE APSCN DIRECTOR	1	GRADE GS15
3	(2)	D105C	ADE STATE NETWORK ENGINEER	1	GRADE IT09
4	(3)	D104C	ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE IT08
5	(4)	D012C	DATABASE SPECIALIST	1	GRADE IT08
6	(5)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
7	(6)	D006C	SOFTWARE ENGINEER LEAD	1	GRADE IT08
8	(7)	D042C	DATA WAREHOUSE SPECIALIST	1	GRADE IT06
9	(8)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE IT06
10	(9)	D037C	ADE APSCN APPLICATIONS MANAGER	3	GRADE IT05
11	(10)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
12	(11)	D055C	ADE APSCN FIELD ANALYST	25	GRADE IT04
13	(12)	D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
14	(13)	G012C	ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
15	(14)	G050C	ADE APSCN DIVISION MANAGER	3	GRADE GS10
16	(15)	A089C	ACCOUNTANT I	1	GRADE GS07
17	(16)	C020C	STUDENT APPLICATIONS SPECIALIST	4	GRADE GS06
18	(17)	D077C	HELP DESK SPECIALIST	2	GRADE GS05
19	(18)	C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
20			MAX. NO. OF EMPLOYEES	52	

21

22 SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

23 There is hereby appropriated, to the Department of Education, to be payable
 24 from the Department of Education Public School Fund Account, for personal
 25 services and operating expenses of the Department of Education - Arkansas
 26 Public School Computer Network for the fiscal year ending June 30, 2019, the
 27 following:

28

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
31 (01) REGULAR SALARIES	\$2,446,175
32 (02) PERSONAL SERVICES MATCHING	794,465
33 (03) MAINT. & GEN. OPERATION	
34 (A) OPER. EXPENSE	19,245,839
35 (B) CONF. & TRAVEL	7,250
36 (C) PROF. FEES	0

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	0
3	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$22,793,729</u></u>

5
6 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
7 is hereby established for the Department of Education - Office of Education
8 Renewal Zones for the 2018-2019 fiscal year, the following maximum number of
9 regular employees.

11		Maximum Annual
12		Salary Rate
13	Item Class	Fiscal Year
14	No. Code Title	2018-2019
15	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3 GRADE GS08
16	(2) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u> GRADE GS04
17	MAX. NO. OF EMPLOYEES	4

18
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, 2019, the
24 following:

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2018-2019</u>
28	(01) REGULAR SALARIES	\$154,077
29	(02) PERSONAL SERVICES MATCHING	54,010
30	(03) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	91,800
32	(B) CONF. & TRAVEL	13,000
33	(C) PROF. FEES	0
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	0
36	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,024,350</u>

1 TOTAL AMOUNT APPROPRIATED \$1,337,237

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 3 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.
 5 ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for
 6 R.I.S.E. Arkansas remaining on June 30, ~~2018~~ 2019, in the Department of
 7 Education Public School Fund Account shall be designated and retained for the
 8 R.I.S.E. Arkansas. Any carry forward of unexpected balance of funding as
 9 authorized herein, may be carried forward under the following conditions:

10 (1) Prior to June 30, ~~2018~~ 2019 the Agency shall by written statement
 11 set forth its reason(s) for the need to carry forward said funding to the
 12 Department of Finance and Administration Office of Budget;

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

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

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

32 The provisions of this section shall be in effect only from July 1, ~~2017~~
 33 2018 through June 30, ~~2018~~ 2019.

34
 35 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND

1 ALLOCATION. The appropriation for the Isolated Funding line item in the
2 Grants and Aid to Local School Districts and Special Programs section of this
3 Act may be fully funded. Any funding and appropriation for Isolated Funding
4 that is not utilized shall be transferred to the appropriation for Special
5 Needs Isolated Funding in the Grants and Aid to Local School Districts and
6 Special Programs section of this Act and shall be used there for fully
7 funding each subsection (c) through (f) of Arkansas Code §6-20-604 on a pro
8 rata basis until the available funds are exhausted. Pro rata basis is defined
9 as providing each district qualifying for additional funding under
10 subsections (c) through (f) a proportionate share based on how each
11 district's additional funding amount bears to the total additional funding
12 amounts for all qualifying districts. If any funding and appropriation
13 remains after funding each subsection (c) through (f) of Arkansas Code §6-20-
14 604 the remaining balance shall be used to fund the provisions of Arkansas
15 Code §6-20-604 (h) on an equal basis until the available funds are exhausted.
16 The provisions of this section shall be in effect only from July 1, ~~2017~~
17 2018 through June 30, ~~2018~~ 2019.

18

19 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
21 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
22 Districts appropriation in the Grants and Aid to Local School Districts and
23 Special Programs section of this Act, "school district" means a school
24 district which contracts with a school district in an adjoining state for the
25 education of some of the pupils within the Arkansas school district because
26 the portion of the school district wherein such pupils live is completely
27 separated from the remainder of the school district by a reservoir covering
28 at least 12,000 acres at normal water level, and where to attend school in
29 their own district, the pupils of said portion would be required to travel or
30 to be transported a distance (measured by the nearest highway or road route)
31 of more than 35 miles round trip and pass through another school district or
32 districts. The Department of Education shall distribute the monies
33 appropriated for Grants to School Districts in the Grants and Aid to Local
34 School Districts and Special Programs section of this Act to such school
35 districts as reimbursement for expenses incurred in educating the pupils
36 residing in the separated portion of the school district. The payments are to

1 be limited to the amount of available appropriation. Such school districts
2 shall file a request for reimbursement with the Department of Education and
3 provide the Department of Education with such documentation as is deemed
4 necessary.

5 The provisions of this section shall be in effect only from July 1, ~~2017~~
6 2018 through June 30, ~~2018~~ 2019.

7
8 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
10 EDUCATION SERVICES. The funds appropriated in the line item "Special
11 Education Services" in the Grants and Aid to Local School Districts and
12 Special Programs section of this Act shall be used to provide extended year
13 summer programs for handicapped students in need of such services, to provide
14 special education services to foster children who are wards of the State, and
15 to provide funds for the payment of salaries of special education
16 supervisors. The Department of Education shall distribute such funds in the
17 manner necessary to carry out the intent of this Section.

18 The provisions of this section shall be in effect only from July 1, ~~2017~~
19 2018 through June 30, ~~2018~~ 2019.

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

35 The provisions of this section shall be in effect only from July 1, ~~2017~~
36 2018 through June 30, ~~2018~~ 2019.

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2 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
4 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
5 Incentive shall be allocated in accordance with rules and regulations
6 established by the State Board of Education.

7 The provisions of this section shall be in effect only from July 1, ~~2017~~
8 2018 through June 30, ~~2018~~ 2019.

9
10 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
12 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
13 Residential Centers/Juvenile Detention shall be allocated in accordance with
14 rules and regulations established by the State Board of Education.

15 The provisions of this section shall be in effect only from July 1, ~~2017~~
16 2018 through June 30, ~~2018~~ 2019.

17
18 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
20 AUTHORITY. The Commissioner of the Department of Education, with the approval
21 of the Chief Fiscal Officer of the State and after approval by the Arkansas
22 Legislative Council or Joint Budget Committee, is hereby authorized to
23 request necessary appropriation transfers and any other budget related
24 adjustments necessary within the Department of Education. Provided, however,
25 that the Department of Education shall be limited to submitting no more than
26 two transfer requests during any fiscal year.

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

1 Assembly maintain oversight by requiring prior approval of the Legislative
2 Council or Joint Budget Committee as provided by this section. The
3 requirement of approval by the Legislative Council or Joint Budget Committee
4 is not a severable part of this section. If the requirement of approval by
5 the Legislative Council or Joint Budget Committee is ruled unconstitutional
6 by a court jurisdiction, this entire section is void.

7 The provisions of this section shall be in effect only from July 1, ~~2017~~
8 2018 through June 30, ~~2018~~ 2019.

9
10 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
12 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
13 authorized herein to the Department of Education for the Quiz Bowl each
14 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each
15 fiscal year may be made available to the Department of Education -
16 Educational Television Division for its documented costs associated with the
17 Quiz Bowl.

18 The provisions of this section shall be in effect only from July 1, ~~2017~~
19 2018 through June 30, ~~2018~~ 2019.

20
21 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
23 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
24 "Distressed School District Support" in the Grants and Aid to Local School
25 Districts and Special Programs section of this Act may be used for technical
26 assistance offered by the Department of Education to school districts in
27 academic distress that can include, but is not limited to, teacher
28 specialists, principal specialists, and other personnel assigned by the
29 department. These funds may also be used for alternative research-based
30 technical assistance or programs. Criteria for selecting and approving
31 alternative research-based technical assistance or programs are to be
32 promulgated as a rule by the State Board of Education, provided that
33 alternative staffing and/or compensation programs for teachers shall be
34 approved by at least a majority of the teachers in the school, schools, or
35 school district participating in the program.

36 The provisions of this section shall be in effect only from July 1, ~~2017~~

1 2018 through June 30, ~~2018~~ 2019.

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3 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
5 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
6 Districts shall pay the teacher retirement employer contribution rate for any
7 eligible employee in accordance with rules and regulations established by the
8 Teacher Retirement Board of Directors. The appropriation contained herein for
9 Teacher Retirement Matching each fiscal year shall be used to provide the
10 employer matching for employees of the Cooperative Education Services Areas,
11 Vocational Centers, Arkansas Easter Seals and the school operated by the
12 Department of Correction.

13 The provisions of this section shall be in effect only from July 1, ~~2017~~
14 2018 through June 30, ~~2018~~ 2019.

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16 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
18 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
19 authorized to expend a maximum of two percent (2%) of available funds for
20 administration of the Better Chance Program. Up to 1.8% of available funds
21 shall be used to administer the program and to monitor program grantees to
22 ensure compliance with programmatic standards. Prior to the utilization of
23 the remaining 0.2% of available funds, the Department of Education shall seek
24 prior review and approval of the Arkansas Legislative Council or Joint Budget
25 Committee by providing a written request to include the following: a) the
26 Department's reason(s) for the use of the funds and b) the amount of funds
27 that will be expended. The Department may contract with the Division of Child
28 Care and Early Childhood Education to administer the program.

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. Therefore, it is both necessary
35 and appropriate that the General Assembly maintain oversight by requiring
36 prior approval of the Legislative Council or Joint Budget Committee as

1 provided by this section. The requirement of approval by the Legislative
 2 Council or Joint Budget Committee is not a severable part of this section.
 3 If the requirement of approval by the Legislative Council or Joint Budget
 4 Committee is ruled unconstitutional by a court of competent jurisdiction,
 5 this entire section is void.

6 The provisions of this section shall be in effect only from July 1, ~~2017~~
 7 2018 through June 30, ~~2018~~ 2019.

8
 9 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
 11 TEACHER SALARY. The Arkansas Department of Education is requested to
 12 calculate Average Teacher Salary in the Department's Annual Statistical
 13 Report to not include extra duty funds. Specifically, the Department is
 14 requested to calculate the Average Teacher Salary amount using the National
 15 Education Association definitions for Average Salary for Classroom Teachers.
 16 The Arkansas Department of Education shall submit this data annually to the
 17 National Education Association in accordance with that organization's
 18 deadlines for submission for their report "Rankings and Estimates" which
 19 includes state-by-state teacher salary comparisons.

20 The provisions of this section shall be in effect only from July 1, ~~2017~~
 21 2018 through June 30, ~~2018~~ 2019.

22
 23 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 25 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated
 26 for the Arkansas Better Chance for School Success Program remaining on June
 27 30, ~~2018~~ 2019, in the Department of Education Public School Fund Account
 28 shall be designated and retained for the Arkansas Better Chance for School
 29 Success Program.

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

32 (1) Prior to June 30, ~~2018~~ 2019 the Agency shall by written statement set
 33 forth its reason(s) for the need to carry forward said funding to the
 34 Department of Finance and Administration Office of Budget;

35 (2) The Department of Finance and Administration Office of Budget shall
 36 report to the Arkansas Legislative Council or Joint Budget Committee all

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

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

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

17 The provisions of this section shall be in effect only from July 1, ~~2017~~
 18 2018 through June 30, ~~2018~~ 2019.

19
 20 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
 22 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the
 23 Department of Finance and Administration may use up to eleven dollars and
 24 twenty cents (\$11.20) from each contribution made under Arkansas Code
 25 §6-17-1117(a) to offset the cost of health insurance premiums to eligible
 26 members electing to participate in the public school employees' health
 27 insurance program as a retiree.

28 The provisions of this section shall be in effect only from July 1, ~~2017~~
 29 2018 through June 30, ~~2018~~ 2019.

30
 31 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 33 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
 34 shall transfer on his books and those of the State Treasurer and the State
 35 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
 36 fiscal year from the Department of Education Public School Fund Account to

1 the University of Arkansas at Little Rock Fund, specifically to provide
2 funding for the Arkansas/STRIVE Program. The total amount of funds
3 transferred each fiscal year pursuant to this section shall not be subject to
4 any indirect costs by the University of Arkansas at Little Rock.

5 The provisions of this section shall be in effect only from July 1, ~~2017~~
6 2018 through June 30, ~~2018~~ 2019.

7
8 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
10 INSURANCE. The appropriation contained herein for Public School Employee
11 Insurance each fiscal year shall be used to provide the state contribution
12 for insurance premiums for employees of the Cooperative Education Services
13 Areas, Vocational Centers, and the school operated by the Department of
14 Correction who participate in the Arkansas Public School Life and Health
15 Insurance Program.

16 The provisions of this section shall be in effect only from July 1, ~~2017~~
17 2018 through June 30, ~~2018~~ 2019.

18
19 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
21 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
22 funding for Alternative Learning Environment Programs in excess of the
23 regulatory limitation of six (6) hours per day for those programs that
24 operate more than twelve hours per day, in a proportionate manner and upon
25 special request to the Department of Education.

26 The provisions of this section shall be in effect only from July 1, ~~2017~~
27 2018 through June 30, ~~2018~~ 2019.

28
29 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
31 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
32 public schools, or for abortion services. Funds shall be expended in
33 accordance with Arkansas Code Annotated §6-18-703.

34 The provisions of this section shall be in effect only from July 1, ~~2017~~
35 2018 through June 30, ~~2018~~ 2019.

36

1 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.
4 Effective for the plan year beginning January 1, ~~2017~~ 2018, if ninety-eight
5 percent (98%) of the uniform rate of tax used in the calculation of State
6 Foundation Funding Aid for fiscal year ~~2017-2018~~ 2018-2019 exceeds nine
7 hundred twenty million seven hundred thirty-one thousand eight hundred
8 nineteen dollars (\$920,731,819), the Department of Education shall pay up to
9 fifteen million dollars (\$15,000,000) of the total increase over the nine
10 hundred twenty million seven hundred thirty-one thousand eight hundred
11 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the
12 Department of Finance and Administration in additional health insurance
13 contributions for eligible employees electing to participate in the public
14 school employees' health insurance program administered by the State and
15 Public School Life and Health Insurance Board.

16 The Department of Education shall make the contributions by transferring
17 funds to the division in quarterly installments. Funds provided by the
18 Department of Education to the division under this section shall be
19 administered by the board for the benefit of the employee participants of the
20 public school employees' health insurance program.

21 The provisions of this section shall be in effect only from July 1, ~~2017~~
22 2018 through June 30, ~~2018~~ 2019.

23
24 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
26 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
27 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
28 addition to funds already being provided for the Arkansas Governor's School,
29 to fund the appropriation authorized from general revenue for the Gifted and
30 Talented program as appropriated in the Grants and Aid to Local School
31 Districts and Special Programs section herein. With this additional funding
32 the duration of the Arkansas Governor's School shall be extended from four
33 (4) weeks to six (6) weeks.

34 The provisions of this section shall be in effect only from July 1, ~~2017~~
35 2018 through June 30, ~~2018~~ 2019.

36

1 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
3 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
4 each fiscal year, an amount of not less than three million five thousand
5 dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each
6 fiscal year, shall be awarded through a grant or professional services
7 contract for the EAST Initiative. Not less than one million dollars
8 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or
9 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST
10 Initiatives shall be used for EAST infrastructure and personnel growth for
11 the establishment of new programs. The remaining funding shall be used for
12 existing EAST infrastructure, personnel, and operating expenses of the EAST
13 Initiative. The EAST infrastructure grant or contract for personal services
14 and operating expenses shall be awarded to an entity that has personnel or
15 experience, or both, in implementing the EAST Initiative.

16 The provisions of this section shall be in effect only from July 1, ~~2017~~
17 2018 through June 30, ~~2018~~ 2019.

18
19 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
21 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
22 shall make available from the Intervention Block Grants appropriation
23 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
24 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
25 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for
26 grants up to \$1,000 each for students and chaperones, thirteen thousand five
27 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one
28 hundred thousand dollars (\$100,000) each fiscal year for the State History
29 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year
30 for a grant to the Arkansas Science Fair Association for grants to regional
31 and the state science fairs. The Department of Education shall allocate
32 General Revenue funding totaling no less than three hundred two thousand
33 dollars (\$302,000) each fiscal year from the Department of Education Public
34 School Fund Account to support the annual expenses of the Quiz Bowl, the
35 Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and
36 chaperones, Destination Imagination, the State History Day Competition, and

1 the Arkansas Science Fair Association for grants to regional and state
 2 science fairs. The Department shall either expend or have committed for
 3 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,
 4 Inc., Destination Imagination, the State History Day Competition, and
 5 Arkansas Science Fair Association grants as authorized herein in order to
 6 fulfill the provisions of this section.

7 The provisions of this section shall be in effect only from July 1, ~~2017~~
 8 2018 through June 30, ~~2018~~ 2019.

9
 10 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
 12 SCHOOL DISTRICT ISOLATED - BASE FUNDING UNDER CERTAIN CIRCUMSTANCES.

13 (a) The amount of funding a school district receives under either § 6-
 14 20-604(c) and (h) or § 6-20-604(d) and (h) in the fiscal year 2014-2015 shall
 15 become the base year funding for fiscal year 2015-2016 if a school district
 16 meets the following requirements in the 2014-2015 fiscal year and all of the
 17 following requirements except for population density ratio in the 2015-2016
 18 fiscal year:

19 (1) Either:

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

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

22 (2) Section 6-20-601.

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

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

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

32 The provisions of this section shall be in effect only from July 1, ~~2017~~
 33 2018 through June 30, ~~2018~~ 2019.

34
 35 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

1 PROFESSIONAL DEVELOPMENT.

2 (a) Of the total amount appropriated for Professional Development
3 Funding, three million five hundred thousand dollars (\$3,500,000) may be
4 authorized by the Commissioner of the Department of Education to be used by
5 the Department of Education to develop and implement statewide professional
6 development support systems for teachers that will benefit student
7 achievement.

8 (b)(1) The Department of Education shall annually report the following
9 information concerning the Arkansas Online Professional Development
10 Initiative under § 6-17-707:

- 11 (1) Annual expenditure information;
- 12 (2) Statistical information pertaining to users of the
13 initiative;
- 14 (3) Course offerings;
- 15 (4) Course hours completed; and
- 16 (5) Certificates awarded.

17 (2) The report under subsection (b)(1) of this section shall be
18 annually submitted by August 1 to the:

- 19 (1) Governor;
- 20 (2) Legislative Council or, if the General Assembly is
21 in session, the Joint Budget Committee;
- 22 (3) Senate Committee on Education;
- 23 (4) House Committee on Education; and
- 24 (5) Department of Finance and Administration.

25 (c) The provisions of this section shall be in effect only from July 1,
26 ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

27
28 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NSL
30 MATCHING GRANT PROGRAM.

31 (a)(1) Of the appropriation and funding for the NSL MATCHING GRANT
32 PROGRAM Item in the Grants and Aid to Local School Districts and Special
33 Programs section of this Act, four million three hundred thousand dollars
34 (\$4,300,000) shall be set aside by the Department of Education and shall be
35 used for school district expenditures for evidence-based programs to improve
36 academic achievement of identified national school lunch students.

1 (2) These programs shall be limited to:

2 (A) Tutors as set out in § 6-20-2305(b)(4)(C)(i)(b)(4);

3 (B) Before-school academic programs and after-school academic
4 programs, including transportation to and from the programs
5 under § 6-20-2305(b)(4)(C)(i)(b)(2); and

6 (C) Prekindergarten programs under § 6-20-2305(b)(4)(C)(i)(b)(3).

7 (b)(1) Set aside funds authorized in subsection (a) of this section
8 shall be distributed to school districts on a dollar for dollar matching
9 basis of school district expenditures for programs under subsection (a) of
10 this section on a pro rata basis until the available funds are exhausted.

11 (2) As used in this subsection, "pro rata basis" means providing
12 each district qualifying for additional funding in a proportionate share
13 based on how each district's expenditure bears to the total of funding
14 provided in subsection (a) of this section for all qualifying districts as
15 determined by the Department of Education.

16 (c) If any funding remains after funding subsection (b) of this
17 section, that remaining balance shall be carried over to the following fiscal
18 year for the same purposes as provided in this section.

19 (d) The Department of Education shall adopt rules as necessary to
20 implement this section.

21 (e) The provisions of this section shall be in effect only from July 1,
22 ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

23
24 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.
26 ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in the
27 Grants and Aid to Local School Districts and Special Programs section of this
28 Act shall be used for the coordination of a statewide reading campaign with
29 community partners, parents, and teachers to establish the importance of
30 reading in homes, schools, and communities.

31 The provisions of this section shall be in effect only from July 1,
32 ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

33
34 SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
35 authorized by this act shall be limited to the appropriation for such agency
36 and funds made available by law for the support of such appropriations; and

1 the restrictions of the State Procurement Law, the General Accounting and
2 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
3 Procedures and Restrictions Act, or their successors, and other fiscal
4 control laws of this State, where applicable, and regulations promulgated by
5 the Department of Finance and Administration, as authorized by law, shall be
6 strictly complied with in disbursement of said funds.

7
8 SECTION 34. LEGISLATIVE INTENT. It is the intent of the General
9 Assembly that any funds disbursed under the authority of the appropriations
10 contained in this act shall be in compliance with the stated reasons for
11 which this act was adopted, as evidenced by the Agency Requests, Executive
12 Recommendations and Legislative Recommendations contained in the budget
13 manuals prepared by the Department of Finance and Administration, letters, or
14 summarized oral testimony in the official minutes of the Arkansas Legislative
15 Council or Joint Budget Committee which relate to its passage and adoption.

16
17 SECTION 35. EFFECTIVE DATE. This act is effective on and after July 1,
18 2018.