

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

As Engrossed: S2/14/18

# 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.  
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### 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:  
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30 ITEM	FISCAL YEAR
31 NO.	2018-2019
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	26,594,317
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	18,705,000
32	(37)	NATIONAL SCHOOL LUNCH	232,465,557
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>\$2,982,044,821</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.

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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	

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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:

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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>

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 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.

10			Maximum Annual
11		Maximum	Salary Rate
12		No. of	Fiscal Year
13	Item Class		
14	<u>No. Code Title</u>	<u>Employees</u>	<u>2018-2019</u>
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	

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 19 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is  
 20 hereby appropriated, to the Department of Education, to be payable from the  
 21 Department of Education Public School Fund Account, for personal services,  
 22 operating expenses and grants by the Department of Education - Office of  
 23 Education Renewal Zones for the fiscal year ending June 30, 2019, the  
 24 following:

25			FISCAL YEAR
26	ITEM		
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.

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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.

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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. 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.

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

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

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

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

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

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

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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.

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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.

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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.

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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.

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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.

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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.

19  
20 */s/ Joint Budget Committee*  
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