

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas *As Engrossed: S2/25/19 S4/1/19*

2 92nd General Assembly

A Bill

3 Regular Session, 2019

SENATE BILL 136

4

5 By: Joint Budget Committee

6

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For An Act To Be Entitled

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AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO

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LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE

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DEPARTMENT OF EDUCATION-PUBLIC SCHOOL FUND FOR THE

11

FISCAL YEAR ENDING JUNE 30, 2020; AND FOR OTHER

12

PURPOSES.

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14

15

Subtitle

16

AN ACT FOR THE DEPARTMENT OF EDUCATION-

17

PUBLIC SCHOOL FUND - GRANTS AND AID TO

18

LOCAL SCHOOL DISTRICTS AND SPECIAL

19

PROGRAMS APPROPRIATION FOR THE 2019-2020

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FISCAL YEAR.

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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND

26

SPECIAL PROGRAMS. There is hereby appropriated, to the Department of

27

Education, to be payable from the Department of Education Public School Fund

28

Account, for grants and aid to local school districts and special programs of

29

the Department of Education for the fiscal year ending June 30, 2020, the

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following:

31

32 ITEM

FISCAL YEAR

33 NO.

2019-2020

34 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT

34,500,000

35 (02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE

36 HEALTH INSURANCE

15,000,000



1	(03)	ADVANCED PLACEMENT INCENTIVE	1,275,000
2	(04)	ALTERNATIVE LEARNING	29,773,362
3	(05)	ARKANSAS EASTER SEALS	193,113
4	(06)	ASSESSMENT/END OF LEVEL TESTING	20,250,189
5	(07)	AT RISK	1,688,530
6	(08)	BETTER CHANCE PROGRAM	\$114,000,000
7	(09)	BONDED DEBT ASSISTANCE	28,455,384
8	(10)	COMPUTER SCIENCE INITIATIVE	2,500,000
9	(11)	CONSOLIDATION INCENTIVE	5,981,400
10	(12)	CONTENT STANDARDS	161,000
11	(13)	CONTENTS STANDARDS CURRICULUM	
12		FRAMEWORKS	50,000
13	(14)	COOP EDUCATION TECH CENTERS	1,200,000
14	(15)	COORDINATED SCHOOL HEALTH	2,000,000
15	(16)	DECLINING ENROLLMENT	13,963,389
16	(17)	DEPT OF CORRECTION	6,454,524
17	(18)	DISTANCE LEARNING	4,760,000
18	(19)	DISTANCE LEARNING OPERATIONS	7,575,000
19	(20)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
20	(21)	ECONOMIC EDUCATION	400,000
21	(22)	EDUCATION SERVICE COOPERATIVES	6,129,270
22	(23)	<i>EIDT SPECIAL EDUCATION SERVICES</i>	<i>1,000,000</i>
23	(24)	ENGLISH LANGUAGE LEARNERS	16,681,022
24	(25)	ENHANCED TRANSPORTATION FUNDING	5,000,000
25	(26)	GENERAL FACILITIES FUNDING	8,100,000
26	(27)	GIFTED & TALENTED	1,485,381
27	(28)	GRANTS TO SCHOOL DISTRICTS	67,856
28	(29)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
29	(30)	INTERVENTION BLOCK GRANTS	302,000
30	(31)	ISOLATED FUNDING	7,896,000
31	(32)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	1,400,000
32	(33)	MASTER PRINCIPAL BONUS	175,000
33	(34)	NATIONAL BOARD OF PROF TEACHING	
34		STANDARDS	18,738,000
35	(35)	NATIONAL SCHOOL LUNCH	232,465,557
36	(36)	NON-TRADITIONAL LICENSURE	50,000

1	(37)	NSL MATCHING GRANT PROGRAM	5,300,000
2	(38)	OE CHARTER FAC FUNDING AID PRG	7,575,000
3	(39)	POSITIVE YOUTH DEVELOPMENT GRANTS	5,000,000
4	(40)	PROFESSIONAL DEVELOPMENT FUNDING	29,127,136
5	(41)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
6	(42)	R.I.S.E. ARKANSAS	970,000
7	(43)	RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
8	(44)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
9	(45)	SCHOOL FOOD SERVICES	1,650,000
10	(46)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
11	(47)	SCHOOL FUNDING CONTINGENCY	25,000,000
12	(48)	SCHOOL RECOGNITION	7,000,000
13	(49)	SCHOOL WORKER DEFENSE	390,000
14	(50)	SERIOUS OFFENDER	1,716,859
15	(51)	SMART START/SMART STEP	10,666,303
16	(52)	SPECIAL EDUCATION SERVICES	2,802,527
17	(53)	SPECIAL EDUCATION-CATASTROPHIC	13,020,000
18	(54)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
19	(55)	STATE FOUNDATION FUNDING	2,077,683,588
20	(56)	STUDENT GROWTH	37,690,144
21	(57)	SUPPLEMENTAL MILLAGE	10,000,000
22	(58)	SURPLUS COMMODITIES	1,125,065
23	(59)	TEACHER LICENSING/MENTORING	6,065,758
24	(60)	TEACHER OF THE YEAR	100,000
25	(61)	TEACHER RECRUITMENT	2,100,000
26	(62)	TEACHER RETIREMENT MATCHING	11,198,604
27	(63)	TECHNOLOGY GRANTS	3,602,678
28	(64)	TECHNOLOGY IMPROVEMENTS	500,000
29	(65)	WORKER'S COMPENSATION	450,000
30	(66)	YOUTH SHELTERS	<u>165,000</u>
31		TOTAL AMOUNT APPROPRIATED	<u>\$2,945,287,396</u>

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

34 There is hereby established for the Department of Education-Public School
35 Fund - Arkansas Public School Computer Network for the 2019-2020 fiscal year,
36 the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
6	(1) D105C	ADE STATE NETWORK ENGINEER	1	GRADE IT09
7	(2) D104C	ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE IT08
8	(3) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
9	(4) D006C	SOFTWARE ENGINEER LEAD	1	GRADE IT08
10	(5) D042C	DATA WAREHOUSE SPECIALIST	1	GRADE IT06
11	(6) D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE IT06
12	(7) D037C	ADE APSCN APPLICATIONS MANAGER	3	GRADE IT05
13	(8) D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
14	(9) D055C	ADE APSCN FIELD ANALYST	25	GRADE IT04
15	(10) D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
16	(11) N047N	ADE APSCN DIRECTOR	1	GRADE GS15
17	(12) G012C	ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
18	(13) G050C	ADE APSCN DIVISION MANAGER	3	GRADE GS10
19	(14) A089C	ACCOUNTANT I	1	GRADE GS07
20	(15) C020C	STUDENT APPLICATIONS SPECIALIST	4	GRADE GS06
21	(16) D077C	HELP DESK SPECIALIST	2	GRADE GS05
22	(17) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
23		MAX. NO. OF EMPLOYEES	51	

SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL 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, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$2,759,150
(02) PERSONAL SERVICES MATCHING	862,950
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	19,245,839

1	(B) CONF. & TRAVEL	7,250
2	(C) PROF. FEES	0
3	(D) CAP. OUTLAY	200,000
4	(E) DATA PROC.	0
5	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$23,375,189</u>

7
 8 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 9 is hereby established for the Department of Education - Office of Education
 10 Renewal Zones for the 2019-2020 fiscal year, the following maximum number of
 11 regular employees.

12			Maximum Annual
13		Maximum	Salary Rate
14		No. of	Fiscal Year
15	Item Class		
16	<u>No. Code Title</u>	<u>Employees</u>	<u>2019-2020</u>
17	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3	GRADE GS08
18	(2) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
19	MAX. NO. OF EMPLOYEES	4	

20
 21 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 22 hereby appropriated, to the Department of Education, to be payable from the
 23 Department of Education Public School Fund Account, for personal services,
 24 operating expenses, and grants by the Department of Education - Office of
 25 Education Renewal Zones for the fiscal year ending June 30, 2020, the
 26 following:

27		
28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2019-2020</u>
30	(01) REGULAR SALARIES	\$166,748
31	(02) PERSONAL SERVICES MATCHING	56,778
32	(03) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	25,000
34	(B) CONF. & TRAVEL	3,000
35	(C) PROF. FEES	0
36	(D) CAP. OUTLAY	0

1	(E) DATA PROC.	0
2	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,101,150</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$1,352,676</u>

5 SECTION 6. APPROPRIATION - EDUCATOR COMPENSATION REFORM GRANTS AND AID.

6 There is hereby appropriated, to the Department of Education, to be payable
7 from the Department of Education Public School Fund Account, for grants and
8 aid to provide additional funding to school districts currently below the
9 statutory minimum teacher salary schedule by the Department of Education -
10 Educator Compensation Reform Grants and Aid for the fiscal year ending June
11 30, 2020, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2019-2020</u>
15	(01) EDUCATOR COMPENSATION REFORM	<u>\$60,000,000</u>

17 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.
19 ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for
20 R.I.S.E. Arkansas remaining on June 30, ~~2019~~ 2020, in the Department of
21 Education Public School Fund Account shall be designated and retained for the
22 R.I.S.E. Arkansas. Any carry forward of unexpected balance of funding as
23 authorized herein, may be carried forward under the following conditions:

24 (1) Prior to June 30, ~~2019~~ 2020 the Agency shall by written statement
25 set forth its reason(s) for the need to carry forward said funding to the
26 Department of Finance and Administration Office of Budget;

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

34 (3) Each Agency, Board, Commission or Institution shall provide a
35 written report to the Arkansas Legislative Council or Joint Budget Committee
36 containing all information set forth in item (2) above, along with a written

1 statement as to the current status of the project, contract, purpose, etc.
2 for which the carry forward was originally requested no later than thirty
3 (30) days prior to the time the Agency, Board, Commission or Institution
4 presents its budget request to the Arkansas Legislative Council/Joint Budget
5 Committee; and

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

10 The provisions of this section shall be in effect only from July 1, ~~2018~~
11 2019 through June 30, ~~2019~~ 2020.

12

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

31 The provisions of this section shall be in effect only from July 1, ~~2018~~
32 2019 through June 30, ~~2019~~ 2020.

33

34 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
36 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School

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

20 The provisions of this section shall be in effect only from July 1, ~~2018~~
21 2019 through June 30, ~~2019~~ 2020.

22

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

33 The provisions of this section shall be in effect only from July 1, ~~2018~~
34 2019 through June 30, ~~2019~~ 2020.

35

36 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
3 Incentive shall be allocated in accordance with rules and regulations
4 established by the State Board of Education.

5 The provisions of this section shall be in effect only from July 1, ~~2018~~
6 2019 through June 30, ~~2019~~ 2020.

7

8 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
11 Residential Centers/Juvenile Detention shall be allocated in accordance with
12 rules and regulations established by the State Board of Education.

13 The provisions of this section shall be in effect only from July 1, ~~2018~~
14 2019 through June 30, ~~2019~~ 2020.

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

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

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

5 The provisions of this section shall be in effect only from July 1, ~~2018~~
6 2019 through June 30, ~~2019~~ 2020.

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

16 The provisions of this section shall be in effect only from July 1, ~~2018~~
17 2019 through June 30, ~~2019~~ 2020.

18

19 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
21 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
22 Districts shall pay the teacher retirement employer contribution rate for any
23 eligible employee in accordance with rules and regulations established by the
24 Teacher Retirement Board of Directors. The appropriation contained herein for
25 Teacher Retirement Matching each fiscal year shall be used to provide the
26 employer matching for employees of the Cooperative Education Services Areas,
27 Vocational Centers, Arkansas Easter Seals and the school operated by the
28 Department of Correction.

29 The provisions of this section shall be in effect only from July 1, ~~2018~~
30 2019 through June 30, ~~2019~~ 2020.

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32 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
34 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
35 authorized to expend a maximum of two percent (2%) of available funds for
36 administration of the Better Chance Program. Up to 1.8% of available funds

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

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

22 The provisions of this section shall be in effect only from July 1, ~~2018~~
23 2019 through June 30, ~~2019~~ 2020.

24

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

36 The provisions of this section shall be in effect only from July 1, ~~2018~~

1 2019 through June 30, ~~2019~~ 2020.

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3 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
5 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated
6 for the Arkansas Better Chance for School Success Program remaining on June
7 30, ~~2019~~ 2020, in the Department of Education Public School Fund Account
8 shall be designated and retained for the Arkansas Better Chance for School
9 Success Program.

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

12 (1) Prior to June 30, ~~2019~~ 2020 the Agency shall by written statement set
13 forth its reason(s) for the need to carry forward said funding to the
14 Department of Finance and Administration Office of Budget;

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

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

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

33 The provisions of this section shall be in effect only from July 1, ~~2018~~
34 2019 through June 30, ~~2019~~ 2020.

35

36 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
2 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the
3 Department of Finance and Administration may use up to eleven dollars and
4 twenty cents (\$11.20) from each contribution made under Arkansas Code
5 §6-17-1117(a) to offset the cost of health insurance premiums to eligible
6 members electing to participate in the public school employees' health
7 insurance program as a retiree.

8 The provisions of this section shall be in effect only from July 1, ~~2018~~
9 2019 through June 30, ~~2019~~ 2020.

10
11 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
13 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
14 shall transfer on his books and those of the State Treasurer and the State
15 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
16 fiscal year from the Department of Education Public School Fund Account to
17 the University of Arkansas at Little Rock Fund, specifically to provide
18 funding for the Arkansas/STRIVE Program. The total amount of funds
19 transferred each fiscal year pursuant to this section shall not be subject to
20 any indirect costs by the University of Arkansas at Little Rock.

21 The provisions of this section shall be in effect only from July 1, ~~2018~~
22 2019 through June 30, ~~2019~~ 2020.

23
24 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
26 INSURANCE. The appropriation contained herein for Public School Employee
27 Insurance each fiscal year shall be used to provide the state contribution
28 for insurance premiums for employees of the Cooperative Education Services
29 Areas, Vocational Centers, and the school operated by the Department of
30 Correction who participate in the Arkansas Public School Life and Health
31 Insurance Program.

32 The provisions of this section shall be in effect only from July 1, ~~2018~~
33 2019 through June 30, ~~2019~~ 2020.

34
35 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

6 The provisions of this section shall be in effect only from July 1, ~~2018~~
7 2019 through June 30, ~~2019~~ 2020.

8

9 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
11 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
12 public schools, or for abortion services. Funds shall be expended in
13 accordance with Arkansas Code Annotated §6-18-703.

14 The provisions of this section shall be in effect only from July 1, ~~2018~~
15 2019 through June 30, ~~2019~~ 2020.

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17 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.
20 Effective for the plan year beginning January 1, ~~2018~~ 2019, if ninety-eight
21 percent (98%) of the uniform rate of tax used in the calculation of State
22 Foundation Funding Aid for fiscal year ~~2018-2019~~ 2019-2020 exceeds nine
23 hundred twenty million seven hundred thirty-one thousand eight hundred
24 nineteen dollars (\$920,731,819), the Department of Education shall pay up to
25 fifteen million dollars (\$15,000,000) of the total increase over the nine
26 hundred twenty million seven hundred thirty-one thousand eight hundred
27 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the
28 Department of Finance and Administration in additional health insurance
29 contributions for eligible employees electing to participate in the public
30 school employees' health insurance program administered by the State and
31 Public School Life and Health Insurance Board.

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

1 The provisions of this section shall be in effect only from July 1, ~~2018~~
2 2019 through June 30, ~~2019~~ 2020.

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4 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
6 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
7 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
8 addition to funds already being provided for the Arkansas Governor's School,
9 to fund the appropriation authorized from general revenue for the Gifted and
10 Talented program as appropriated in the Grants and Aid to Local School
11 Districts and Special Programs section herein. With this additional funding
12 either the department shall increase the number of grants for AEGIS summer
13 enrichment programs, or the duration of the Arkansas Governor's School shall
14 be extended from four (4) weeks to six (6) weeks.

15 The provisions of this section shall be in effect only from July 1, ~~2018~~
16 2019 through June 30, ~~2019~~ 2020.

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

33 The provisions of this section shall be in effect only from July 1, ~~2018~~
34 2019 through June 30, ~~2019~~ 2020.

35
36 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
3 shall make available from the Intervention Block Grants appropriation
4 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
5 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
6 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for
7 grants up to \$1,000 each for students and chaperones, thirteen thousand five
8 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one
9 hundred thousand dollars (\$100,000) each fiscal year for the State History
10 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year
11 for a grant to the Arkansas Science Fair Association for grants to regional
12 and the state science fairs. The Department of Education shall allocate
13 General Revenue funding totaling no less than three hundred two thousand
14 dollars (\$302,000) each fiscal year from the Department of Education Public
15 School Fund Account to support the annual expenses of the Quiz Bowl, the
16 Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and
17 chaperones, Destination Imagination, the State History Day Competition, and
18 the Arkansas Science Fair Association for grants to regional and state
19 science fairs. The Department shall either expend or have committed for
20 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,
21 Inc., Destination Imagination, the State History Day Competition, and
22 Arkansas Science Fair Association grants as authorized herein in order to
23 fulfill the provisions of this section.

24 The provisions of this section shall be in effect only from July 1, ~~2018~~
25 2019 through June 30, ~~2019~~ 2020.

26

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

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

36 (b)(1) The Department of Education shall annually report the following

1 information concerning the Arkansas Online Professional Development
2 Initiative under § 6-17-707:

- 3 (1) Annual expenditure information;
- 4 (2) Statistical information pertaining to users of the
5 initiative;
- 6 (3) Course offerings;
- 7 (4) Course hours completed; and
- 8 (5) Certificates awarded.

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

- 11 (1) Governor;
- 12 (2) Legislative Council or, if the General Assembly is
13 in session, the Joint Budget Committee;
- 14 (3) Senate Committee on Education;
- 15 (4) House Committee on Education; and
- 16 (5) Department of Finance and Administration.

17 (c) The provisions of this section shall be in effect only from July 1,
18 ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

19

20 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NSL
22 MATCHING GRANT PROGRAM.

23 (a)(1) Of the appropriation and funding for the NSL MATCHING GRANT
24 PROGRAM Item in the Grants and Aid to Local School Districts and Special
25 Programs section of this Act, *five million* three hundred thousand dollars
26 (*\$5,300,000*) shall be set aside by the Department of Education and shall be
27 used for school district expenditures for evidence-based programs to improve
28 academic achievement of identified national school lunch students.

29 (2) These programs shall be limited to:

- 30 (A) Tutors as set out in § 6-20-2305(b)(4)(C)(i)(b)(4);
- 31 (B) Before-school academic programs and after-school academic
32 programs, including transportation to and from the programs
33 under § 6-20-2305(b)(4)(C)(i)(b)(2); and
- 34 (C) Prekindergarten programs under § 6-20-2305(b)(4)(C)(i)(b)(3).

35 (b)(1) Set aside funds authorized in subsection (a) of this section
36 shall be distributed to school districts on a dollar for dollar matching

1 basis of school district expenditures for programs under subsection (a) of
2 this section on a pro rata basis until the available funds are exhausted.

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

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

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

13 (e) The provisions of this section shall be in effect only from July 1,
14 ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

15

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

23 The provisions of this section shall be in effect only from July 1,
24 ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

25

26 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR
28 COMPENSATION REFORM SUB-FUND. Upon the effective date of this Act, or as
29 soon thereafter as practical, the Arkansas State Treasurer shall transfer
30 \$60,000,000 from the Educational Adequacy Fund to the Public School Fund to
31 be used solely for the implementation of the Educator Compensation Reform
32 Program. Funds shall be kept separate from all other monies in the Public
33 School Fund and are to be utilized over a four-year period, beginning July 1,
34 2019, to assist school districts in ensuring that all educators in Arkansas
35 public school districts receive a minimum annual salary of \$36,000 by July 1,
36 2023. The Educator Compensation Reform Fund shall not be considered part of

1 a school district's net legal balance or net legal balance revenues for the
2 purpose of meeting the requirements on limitation of fund balances pursuant
3 to A.C.A. 6-20-2210. The Arkansas Department of Education shall promulgate
4 rules to administer this section.

5 The provisions of this section shall be in effect only from July 1,
6 2019 through June 30, 2020.

7
8 SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
9 authorized by this act shall be limited to the appropriation for such agency
10 and funds made available by law for the support of such appropriations; and
11 the restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal
14 control laws of this State, where applicable, and regulations promulgated by
15 the Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

17
18 SECTION 33. LEGISLATIVE INTENT. It is the intent of the General
19 Assembly that any funds disbursed under the authority of the appropriations
20 contained in this act shall be in compliance with the stated reasons for
21 which this act was adopted, as evidenced by the Agency Requests, Executive
22 Recommendations and Legislative Recommendations contained in the budget
23 manuals prepared by the Department of Finance and Administration, letters, or
24 summarized oral testimony in the official minutes of the Arkansas Legislative
25 Council or Joint Budget Committee which relate to its passage and adoption.

26
27 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the
28 General Assembly, that the Constitution of the State of Arkansas prohibits
29 the appropriation of funds for more than a one (1) year period; that the
30 effectiveness of this Act on July 1, 2019 is essential to the operation of
31 the agency for which the appropriations in this Act are provided, and that in
32 the event of an extension of the legislative session, the delay in the
33 effective date of this Act beyond July 1, 2019 could work irreparable harm
34 upon the proper administration and provision of essential governmental
35 programs. Therefore, an emergency is hereby declared to exist and this Act
36 being necessary for the immediate preservation of the public peace, health

1 and safety shall be in full force and effect from and after July 1, 2019.

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/s/Joint Budget Committee