

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 110

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 EDUCATION - DIVISION OF HIGHER EDUCATION FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2022; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 DIVISION OF HIGHER EDUCATION
17 APPROPRIATION FOR THE 2021-2022 FISCAL
18 YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby
25 established for the Department of Education - Division of Higher Education
26 for the 2021-2022 fiscal year, the following maximum number of regular
27 employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2021-2022
33	(1)	U024U DHE DIRECTOR	1	GRADE SE05
34	(2)	D022N IT SENIOR PROJECT MANAGER	1	GRADE IT09
35	(3)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
36	(4)	D028C SENIOR SOFTWARE SUPPORT SPECIALIST	1	GRADE IT07



1	(5)	D016C SENIOR TECHNOLOGY ANALYST	1	GRADE IT06
2	(6)	G281C ADE POLICY & SPECIAL PROJECTS DIRECTOR	1	GRADE GS15
3	(7)	N002N DHE SENIOR ASSOC DIRECTOR	2	GRADE GS15
4	(8)	N055N DHE ASSOCIATE DIRECTOR	1	GRADE GS14
5	(9)	A010C AGENCY CONTROLLER II	1	GRADE GS13
6	(10)	N054N DHE CAREER PATHWAYS DIRECTOR	1	GRADE GS13
7	(11)	N167N DHS POLICY & RESEARCH DIRECTOR	1	GRADE GS12
8	(12)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
9	(13)	G058C DHE FEDERAL PROGRAM MANAGER	2	GRADE GS11
10	(14)	E061C ACE PROGRAM COORDINATOR	1	GRADE GS10
11	(15)	G071C DHE PROGRAM COORDINATOR	6	GRADE GS10
12	(16)	E062C ACE PROGRAM ADVISOR	2	GRADE GS09
13	(17)	G102C DHE PROGRAM SPECIALIST	16	GRADE GS09
14	(18)	G080C NATIONAL & COMMUNITY SVCS EXEC. DIR.	1	GRADE GS09
15	(19)	G295C OSTEOPATHIC RURAL MED PROG ADMIN	1	GRADE GS09
16	(20)	P005C DHE COMMUNICATIONS COORDINATOR	1	GRADE GS08
17	(21)	G176C VOLUNTEER PROGRAM MANAGER	1	GRADE GS07
18	(22)	G214C GRANTS SPECIALIST	1	GRADE GS06
19	(23)	A084C PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE GS06
20	(24)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
21	(25)	C056C ADMINISTRATIVE SPECIALIST III	1	GRADE GS04
22	(26)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
23		MAX. NO. OF EMPLOYEES	49	

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25 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby

26 authorized, for the Division of Education - Division of Higher Education for

27 the 2021-2022 fiscal year, the following maximum number of part-time or

28 temporary employees, to be known as "Extra Help", payable from funds

29 appropriated herein for such purposes: fifteen (15) temporary or part-time

30 employees, when needed, at rates of pay not to exceed those provided in the

31 Uniform Classification and Compensation Act, or its successor, or this act

32 for the appropriate classification.

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34 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby

35 appropriated, to the Department of Education, to be payable from the Division

36 of Higher Education Fund Account, for personal services and operating

1 expenses of the Department of Education - Division of Higher Education -
 2 General Operations for the fiscal year ending June 30, 2022, the following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2021-2022</u>
6 (01) REGULAR SALARIES	\$1,955,446
7 (02) EXTRA HELP	3,000
8 (03) PERSONAL SERVICES MATCHING	601,539
9 (04) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	959,346
11 (B) CONF. & TRAVEL	24,659
12 (C) PROF. FEES	50,000
13 (D) CAP. OUTLAY	50,000
14 (E) DATA PROC.	0
15 (05) STATEWIDE SCHOLARSHIP AND GRANT	
16 PROMOTION	<u>295,000</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$3,938,990</u></u>

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 19 SECTION 4. APPROPRIATION - STATE BOARD OF PRIVATE CAREER EDUCATION -
 20 OPERATIONS. There is hereby appropriated, to the Department of Education, to
 21 be payable from the Private Career Education Fund, for personal services and
 22 operating expenses of the State Board of Private Career Education -
 23 Operations for the fiscal year ending June 30, 2022, the following:

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2021-2022</u>
27 (01) REGULAR SALARIES	\$132,666
28 (02) EXTRA HELP	20,000
29 (03) PERSONAL SERVICES MATCHING	42,667
30 (04) MAINT. & GEN. OPERATION	
31 (A) OPER. EXPENSE	63,000
32 (B) CONF. & TRAVEL	4,000
33 (C) PROF. FEES	6,000
34 (D) CAP. OUTLAY	0
35 (E) DATA PROC.	<u>0</u>
36 TOTAL AMOUNT APPROPRIATED	<u><u>\$268,333</u></u>

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SECTION 5. EXTRA HELP - STATE BOARD OF PRIVATE CAREER EDUCATION - OPERATIONS. There is hereby authorized, for the Department of Education - Division of Higher Education - State Board of Private Career Education for the 2021-2022 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 6. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS SCHOLARSHIPS. There is hereby appropriated, to the Department of Education, to be payable from the Higher Education Grants Fund Account, for providing student assistance grants and various scholarships as provided by law of the Department of Education - Division of Higher Education - Student Assistance Grants and Various Scholarships for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) ARKANSAS FUTURE GRANT	\$5,000,000
(02) HIGHER EDUCATION OPPORTUNITIES GRANT	1,500,000
(03) NATIONAL GUARD TUITION ASSISTANCE PROGRAM	1,400,000
(04) SINGLE PARENT SCHOLARSHIP PROGRAM	175,000
(05) STATE TEACHER EDUCATION PROGRAM	2,000,000
(06) TEACHER OPPORTUNITY PROGRAM	2,500,000
(07) AR GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIPS	150,000
(08) DEPENDENTS OF LAW ENFORCEMENT OFFICERS, ETC SCHOLARSHIPS	400,000
(09) DEPENDENTS OF POWS, MIAS, KIAS-TUITION WAIVER SCHOLARSHIPS	1,500,000
(10) SREB MINORITY DOCTORAL SCHOLARS	175,000
(11) WASHINGTON CENTER SCHOLARSHIPS	150,000

1	(12)	TUITION ADJUSTMENT	350,000
2	(13)	AR ACADEMIC CHALLENGE SCHOLARSHIPS	25,000,000
3	(14)	AR GOVERNOR'S SCHOLAR	22,000,000
4	(15)	STUDENT UNDERGRADUATE RESEARCH	
5		FELLOWSHIP PROGRAM (SURF)	<u>150,000</u>
6		TOTAL AMOUNT APPROPRIATED	<u><u>\$62,450,000</u></u>

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8 SECTION 7. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS.

9 There is hereby appropriated, to the Department of Education, to be payable

10 from the federal funds as designated by the Chief Fiscal Officer of the

11 State, for personal services and operating expenses of the Department of

12 Education - Division of Higher Education - Technical Education - Federal

13 Programs for the fiscal year ending June 30, 2022, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2021-2022</u>
17	(01) REGULAR SALARIES	\$152,979
18	(02) PERSONAL SERVICES MATCHING	46,673
19	(03) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	107,271
21	(B) CONF. & TRAVEL	80,000
22	(C) PROF. FEES	110,000
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$496,923</u></u>

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27 SECTION 8. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is

28 hereby appropriated, to the Department of Education, to be payable from the

29 Research Development Fund, for providing Arkansas Research Development

30 Program Grants to Institutions of Higher Education by the Department of

31 Education - Division of Higher Education for the fiscal year ending June 30,

32 2022, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2021-2022</u>
36	(01) RESEARCH AND DEVELOPMENT PROGRAM	

1 GRANTS \$1,000,000

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3 SECTION 9. APPROPRIATION - HEALTH EDUCATION GRANTS AND LOANS. There is
 4 hereby appropriated, to the Department of Education, to be payable from the
 5 Higher Education Grants Fund Account, for payments of contracts and loans
 6 with participating out-of-state institutions of higher learning in the fields
 7 of dentistry, optometry, veterinary medicine, chiropractic, and podiatry for
 8 the education of Arkansas citizens by the Department of Education - Division
 9 of Higher Education - Health Education Grants and Loans for the fiscal year
 10 ending June 30, 2022, the following:

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12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2021-2022</u>
14 (01) CHIROPRACTIC AID	\$260,000
15 (02) DENTAL AID - GRANTS	2,950,000
16 (03) OPTOMETRY AID - GRANTS	650,000
17 (04) PODIATRY AID	130,400
18 (05) VETERINARY AID FORGIVENESS PROGRAM	1,750,000
19 (06) DENTAL AID - LOANS	987,370
20 (07) OPTOMETRY AID - LOANS	140,000
21 (08) VETERINARY MED. LOAN FORGIVENESS	
22 PROGRAM	<u>250,000</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$7,117,770</u>

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25 SECTION 10. APPROPRIATION - CASH. There is hereby appropriated, to the
 26 Department of Education, to be payable from the cash fund deposited in the
 27 State Treasury as determined by the Chief Fiscal Officer of the State, for
 28 operating expenses of the Department of Education - Division of Higher
 29 Education - Cash for the fiscal year ending June 30, 2022, the following:

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31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2021-2022</u>
33 (01) MAINT. & GEN. OPERATION	
34 (A) OPER. EXPENSE	\$262,000
35 (B) CONF. & TRAVEL	30,000
36 (C) PROF. FEES	63,000

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	0
3	(02) SCHOLARSHIPS	<u>50,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$405,000</u></u>

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6 SECTION 11. APPROPRIATION - PRIVATE CAREER EDUCATION BOARD - CASH.

7 There is hereby appropriated, to the Department of Education, to be payable
 8 from the cash fund deposited in the State Treasury as determined by the Chief
 9 Fiscal Officer of the State, for operating expenses of the Department of
 10 Education - Division of Higher Education - Private Career Education Board -
 11 Cash for the fiscal year ending June 30, 2022, the following:

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13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2021-2022</u>
15	(01) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	\$9,500
17	(B) CONF. & TRAVEL	6,000
18	(C) PROF. FEES	5,000
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u><u>\$20,500</u></u>

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23 SECTION 12. APPROPRIATION - STUDENT PROTECTION TRUST. There is hereby
 24 appropriated, to the Department of Education, to be payable from the Private
 25 Career School Student Protection Trust Fund, for expenses, claims and fees of
 26 the Department of Education - Division of Higher Education - State Board of
 27 Private Career Education - Student Protection Trust for the fiscal year
 28 ending June 30, 2022, the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2021-2022</u>
32	(01) EXPENSES/CLAIMS/FEES	<u><u>\$300,000</u></u>

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34 SECTION 13. APPROPRIATION - TANF PROGRAM - FEDERAL. There is hereby
 35 appropriated, to the Department of Education, to be payable from the federal
 36 funds as designated by the Chief Fiscal Officer of the State, for personal

1 services and operating expenses of the Department of Education - Division of
 2 Higher Education - TANF Program - Federal for the fiscal year ending June 30,
 3 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$206,250
(02) PERSONAL SERVICES MATCHING	64,566
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	44,049
(B) CONF. & TRAVEL	10,000
(C) PROF. FEES	4,784
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) SELF SUFFICIENCY/JOB TRAINING GRANTS	<u>6,821,431</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$7,151,080</u></u>

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 18 SECTION 14. APPROPRIATION - WEB BASED APPLICATIONS. There is hereby
 19 appropriated, to the Department of Education, to be payable from the Higher
 20 Education Grants Fund Account, for personal services and operating expenses
 21 associated with web based applications of the Department of Education -
 22 Division of Higher Education - Web Based Applications for the fiscal year
 23 ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) WEB BASED APPLICATIONS PERSONAL SERVICES AND OPERATING EXPENSES	<u><u>\$1,000,000</u></u>

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 30 SECTION 15. APPROPRIATION - SCHOLARSHIP ADMINISTRATION. There is
 31 hereby appropriated, to the Department of Education, to be payable from the
 32 Higher Education Grants Fund Account, for personal services and operating
 33 expenses of the Department of Education - Division of Higher Education -
 34 Scholarship Administration for the fiscal year ending June 30, 2022, the
 35 following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2021-2022</u>
3	(01) REGULAR SALARIES	\$334,365
4	(02) EXTRA HELP	10,000
5	(03) PERSONAL SERVICES MATCHING	111,622
6	(04) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	250,000
8	(B) CONF. & TRAVEL	0
9	(C) PROF. FEES	30,000
10	(D) CAP. OUTLAY	35,000
11	(E) DATA PROC.	<u>0</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$770,987</u></u>

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14 SECTION 16. APPROPRIATION - WORKFORCE INITIATIVE ACT OF 2015. There is
 15 hereby appropriated, to the Department of Education, to be payable from the
 16 Workforce Initiative Act of 2015 Fund, for workforce education grants,
 17 administrative, and operating expenses of the Department of Education -
 18 Division of Higher Education - Workforce Initiative Act of 2015 for the
 19 fiscal year ending June 30, 2022, the following:

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21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2021-2022</u>
23	(01) WORKFORCE INITIATIVE ACT OF 2015	
24	EXPENSES	<u><u>\$8,000,000</u></u>

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26 SECTION 17. APPROPRIATION - VETERAN'S APPROVING AGENCY - STATE. There
 27 is hereby appropriated, to the Department of Education, to be payable from
 28 the Division of Higher Education Fund Account, for operating expenses of the
 29 Department of Education - Division of Higher Education - Veteran's Approving
 30 Agency - State for the fiscal year ending June 30, 2022, the following:

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32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2021-2022</u>
34	(01) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	\$3,000
36	(B) CONF. & TRAVEL	0

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,000</u></u>

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6 SECTION 18. APPROPRIATION - VETERAN'S APPROVING AGENCY - FEDERAL.

7 There is hereby appropriated, to the Department of Education, to be payable

8 from the federal funds as designated by the Chief Fiscal Officer of the

9 State, for personal services and operating expenses of the Department of

10 Education - Division of Higher Education - Veteran's Approving Agency -

11 Federal for the fiscal year ending June 30, 2022, the following:

12	ITEM	FISCAL YEAR
13	NO.	2021-2022
14	(01) REGULAR SALARIES	\$203,401
15	(02) PERSONAL SERVICES MATCHING	69,297
16	(03) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	53,546
18	(B) CONF. & TRAVEL	9,623
19	(C) PROF. FEES	0
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	<u>0</u>
22	TOTAL AMOUNT APPROPRIATED	<u><u>\$335,867</u></u>

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25 SECTION 19. APPROPRIATION - AMERICORPS - OPERATIONS. There is hereby

26 appropriated, to the Department of Education, to be payable from the Division

27 of Higher Education Fund Account, for personal services, operating expenses,

28 and grants and aid by the Department of Education - Division of Higher

29 Education - AmeriCorps - Operations for the fiscal year ending June 30, 2022,

30 the following:

31	ITEM	FISCAL YEAR
32	NO.	2021-2022
33	(01) REGULAR SALARIES	\$248,205
34	(02) PERSONAL SERVICES MATCHING	85,204
35	(03) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	223,650
2	(B) CONF. & TRAVEL	85,650
3	(C) PROF. FEES	100
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$642,809</u></u>

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8 SECTION 20. APPROPRIATION - AMERICORPS - GRANTS AND AID. There is

9 hereby appropriated, to the Department of Education, to be payable from the

10 Division of Higher Education Fund Account, for grants and aid by the

11 Department of Education - Division of Higher Education - AmeriCorps - Grants

12 and Aid for the fiscal year ending June 30, 2022, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2021-2022</u>
16	(01) GRANTS AND AID	<u><u>\$2,010,704</u></u>

17

18 SECTION 21. APPROPRIATION - OSTEOPATHIC RURAL MEDICAL PRACTICE STUDENT

19 LOAN AND SCHOLARSHIP PROGRAM. There is hereby appropriated, to the

20 Department of Education, to be payable from the Higher Education Grants Fund

21 Account, for Osteopathic Rural Medical Practice Student Loan & Scholarship

22 Program loans and/or scholarships by the Department of Education - Division

23 of Higher Education - Osteopathic Rural Medical Practice Student Loan and

24 Scholarship Program for the fiscal year ending June 30, 2022, the following:

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2021-2022</u>
28	(01) OSTEOPATHIC RURAL MEDICAL PRACTICE	
29	STUDENT LOANS AND SCHOLARSHIPS	<u><u>\$400,000</u></u>

30

31 SECTION 22. REGULAR SALARIES - NORTHWEST TECHNICAL INSTITUTE. There is

32 hereby established for the Department of Education - Division of Higher

33 Education - Northwest Technical Institute for the 2021-2022 fiscal year, the

34 following maximum number of regular employees.

35

36 Maximum Annual

1			Maximum	Salary Rate
2	Item	Class	No. of	Fiscal Year
3	No.	Code Title	Employees	2021-2022
4	(1)	N227N NORTHWEST TECHNICAL INSTITUTE DIRECTOR	1	GRADE SE01
5	(2)	D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
6	(3)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
7	(4)	D068C INFORMATION SYSTEMS ANALYST	1	GRADE IT04
8	(5)	D071C COMPUTER SUPPORT ANALYST	1	GRADE IT03
9	(6)	E009C TECHNICAL INSTITUTE ASSISTANT DIRECTOR	2	GRADE GS12
10	(7)	E071C AMMONIA & INDUSTRIAL TRAINER	2	GRADE GS10
11	(8)	E013C EDUCATION PROGRAM MANAGER	5	GRADE GS10
12	(9)	E022C EDUCATION & INSTRUCTION MANAGER	2	GRADE GS09
13	(10)	R014C PERSONNEL MANAGER	1	GRADE GS08
14	(11)	E018C SPECIALIZED TECHNICAL FACULTY	8	GRADE GS08
15	(12)	E027C CAREER & TECHNICAL FACULTY	28	GRADE GS07
16	(13)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
17	(14)	S017C MAINTENANCE COORDINATOR	1	GRADE GS07
18	(15)	G144C TECHNICAL INSTITUTE PROGRAM COORDINATOR	2	GRADE GS07
19	(16)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
20	(17)	S033C MAINTENANCE SUPERVISOR	1	GRADE GS06
21	(18)	C035C ASST REGISTRAR	1	GRADE GS05
22	(19)	G218C STUDENT RECRUITMENT SPECIALIST	1	GRADE GS05
23	(20)	C056C ADMINISTRATIVE SPECIALIST III	5	GRADE GS04
24	(21)	A098C FISCAL SUPPORT SPECIALIST	1	GRADE GS04
25	(22)	A100C PAYROLL OFFICER	1	GRADE GS04
26	(23)	C073C ADMINISTRATIVE SPECIALIST II	4	GRADE GS03
27	(24)	S050C MAINTENANCE SPECIALIST	1	GRADE GS03
28	(25)	S065C MAINTENANCE ASSISTANT	<u>2</u>	GRADE GS01
29		MAX. NO. OF EMPLOYEES	75	

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31 SECTION 23. EXTRA HELP - NORTHWEST TECHNICAL INSTITUTE. There is
 32 hereby authorized, for the Department of Education - Division of Higher
 33 Education - Northwest Technical Institute for the 2021-2022 fiscal year, the
 34 following maximum number of part-time or temporary employees, to be known as
 35 "Extra Help", payable from funds appropriated herein for such purposes: one
 36 hundred thirty-five (135) temporary or part-time employees, when needed, at

1 rates of pay not to exceed those provided in the Uniform Classification and
 2 Compensation Act, or its successor, or this act for the appropriate
 3 classification.

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 5 SECTION 24. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - STATE.

6 There is hereby appropriated, to the Department of Education, to be payable
 7 from the Northwest Technical Institute Fund, for personal services and
 8 operating expenses of the Department of Education - Division of Higher
 9 Education - Northwest Technical Institute - State for the fiscal year ending
 10 June 30, 2022, the following:

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12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2021-2022</u>
14 (01) REGULAR SALARIES	\$3,032,912
15 (02) EXTRA HELP	516,673
16 (03) PERSONAL SERVICES MATCHING	1,037,585
17 (04) MAINT. & GEN. OPERATION	
18 (A) OPER. EXPENSE	608,064
19 (B) CONF. & TRAVEL	44,866
20 (C) PROF. FEES	0
21 (D) CAP. OUTLAY	20,000
22 (E) DATA PROC.	<u>0</u>
23 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,260,100</u></u>

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 25 SECTION 25. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - FEDERAL.

26 There is hereby appropriated, to the Department of Education, to be payable
 27 from the federal funds as designated by the Chief Fiscal Officer of the
 28 State, for personal services and operating expenses of the Department of
 29 Education - Division of Higher Education - Northwest Technical Institute -
 30 Federal for the fiscal year ending June 30, 2022, the following:

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32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2021-2022</u>
34 (01) REGULAR SALARIES	\$46,120
35 (02) EXTRA HELP	245,000
36 (03) PERSONAL SERVICES MATCHING	34,473

1	(04) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	14,258
3	(B) CONF. & TRAVEL	0
4	(C) PROF. FEES	0
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$339,851</u></u>

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9 SECTION 26. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - CASH.

10 There is hereby appropriated, to the Department of Education, to be payable
 11 from cash funds as defined by Arkansas Code 19-4-801, for personal services
 12 and operating expenses of the Department of Education - Division of Higher
 13 Education - Northwest Technical Institute - Cash for the fiscal year ending
 14 June 30, 2022, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2021-2022</u>
17	(01) REGULAR SALARIES	\$588,049
18	(02) EXTRA HELP	556,450
19	(03) PERSONAL SERVICES MATCHING	255,291
20	(04) MAINT. & GEN. OPERATION	
21	(A) OPER. EXPENSE	1,294,530
22	(B) CONF. & TRAVEL	15,000
23	(C) PROF. FEES	375,000
24	(D) CAP. OUTLAY	200,000
25	(E) DATA PROC.	0
26	(05) RESALE	325,000
27	(06) OPERATING AND MAINTENANCE	<u>2,500,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,109,320</u></u>

29

30 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
 32 EMERGENCY GRANTS & EXTRA HELP POOL. An Institution of higher education that
 33 suffers an emergency/disaster event resulting in all or a significant portion
 34 of campus operations being interrupted, may request disaster assistance
 35 through the Arkansas Department of Education - Division of Higher
 36 Education. Upon the declaration of an emergency by the Governor, the

1 institution may request, subject to the recommendation of the Director of the
2 Department of Education - Division of Higher Education and approval of the
3 Governor, a grant from the Disaster Relief Fund to assist in returning that
4 campus to operation and/or to a sister campus providing services to the
5 students from the affected campus. Certified law enforcement officers
6 employed by an institution of higher education may be granted jurisdiction at
7 the sister institution, upon agreement of both institutions.

8 The Department of Education - Division of Higher Education is authorized a
9 pool of 500 extra help positions for use in such emergency situations. These
10 positions may be assigned to the campus suffering the disaster event or to a
11 sister campus providing services to the students from the affected
12 campus. The Governor may waive the 1,500 hour limit of ACA 6-63-314 on these
13 assigned extra help pool positions.

14 The provisions of this section shall be in effect only from July 1, ~~2020~~
15 2021 through June 30, ~~2021~~ 2022.

16
17 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
19 REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon
20 determination by the president or chancellor of an institution of higher
21 education that a reallocation of resources for purposes of reorganization or
22 consolidation of administrative functions within the institution is necessary
23 for efficient and effective operations of the institution, the president or
24 chancellor, with approval of the institution's board of trustees, may have
25 the authority to transfer positions, appropriations and related funds between
26 campuses, divisions, branches, and other budgetary units of the institution,
27 after receiving prior approval of the Legislative Council or Joint Budget
28 Committee. The transfers of positions, programs, or activities shall be used
29 for those purposes for which the appropriations were approved by the General
30 Assembly. The transfers, consolidations, or reorganizations which involve
31 academic programs shall be reviewed by the ~~Department~~ Division of Higher
32 Education prior to submission to the Legislative Council or Joint Budget
33 Committee. Provided, however, that the institution shall be limited to
34 submitting no more than two (2) individual transaction transfer requests
35 during any fiscal year and shall be further limited to no more than five
36 percent (5%) of the total General Revenue and Special Revenue appropriation,

1 funding, positions specific to each institution, and no Tobacco Settlement
2 funds or appropriations may be reallocated pursuant to this section.

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

20 The provisions of this section shall be in effect only from July 1, ~~2020~~
21 2021 through June 30, ~~2021~~ 2022.

22
23 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
25 LOANS. In order to provide timely payments under financial aid appropriations
26 made in this Act, the Chief Fiscal Officer of the State is authorized to
27 provide loans from the Budget Stabilization Trust Fund to make available all
28 funds attributable to the financial aid programs under the then current
29 official revenue estimates. In the event of an unanticipated state revenue
30 shortfall, any such loans remaining at the end of a fiscal year shall be
31 repaid from revenues distributed in the first two months of the next fiscal
32 year. Funds for appropriations made in this Act for purposes other than
33 financial aid shall not be affected by the application of this provision.

34 The provisions of this section shall be in effect only from July 1, ~~2020~~
35 2021 through June 30, ~~2021~~ 2022.

36

1 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
3 WORK FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made
4 available to the various technical colleges have been determined as set out
5 in Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B), such documents as
6 may be necessary shall be processed so that funds may be transferred from the
7 Work Force 2000 Development Fund to the State Treasury fund or fund account
8 from which the technical college draws its general revenue support. Such
9 funds as may be transferred shall not exceed 93.691% of the total funds
10 available from the Work Force 2000 Development Fund during the fiscal year.
11 In the event that a technical institute or comprehensive lifelong learning
12 center which receives support from the Work Force 2000 Development Fund as
13 determined by law transfers or merges into the Arkansas Technical College and
14 Community College System for which Work Force 2000 Development Fund monies
15 are determined by law, then the actual amount of support from the Work Force
16 2000 Development Fund in the preceding fiscal year for such educational
17 institution shall be made available irrespective of any other provision of
18 law which sets out maximum levels of support from such fund.

19 The funds distributed under Arkansas Code 26-51-205(d)(2)(C) in excess of
20 those amounts collected and distributed prior to June 30, 2014 shall be
21 deposited into the Skills Development Fund to be used only for personal
22 services, grants, operation, support, and improvement of occupational,
23 vocational, technical, and workforce development programs by the Department
24 of Career Education - Office of Skills Development. The distributions of
25 funds under Arkansas Code 26-51-205(d)(2)(C) in excess of those amounts
26 collected and distributed prior to June 30, 2014 shall not apply to proceeds
27 allocated to schools, colleges and educational institutions under Arkansas
28 Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B).

29 The provisions of this section shall be in effect only from July 1, ~~2020~~
30 2021 through June 30, ~~2021~~ 2022.

31
32 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
34 BUILDING MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited
35 into the Higher Education Building Maintenance Fund, any additional deposits
36 are to be transferred to the Research Development Fund there to be used as

1 provided by law.

2 The provisions of this section shall be in effect only from July 1, ~~2020~~
3 2021 through June 30, ~~2021~~ 2022.

4
5 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
7 NATIONAL GUARD TUITION INCENTIVE PROGRAM. In addition to any other provisions
8 of law, any student who receives assistance from the appropriation made for
9 the "National Guard Tuition Incentive Program" in this Act shall repay any
10 loans and/or assistance if the student receives a discharge that is a less
11 than Honorable Discharge. Priority for funding shall be given to students
12 already receiving assistance from the National Guard Tuition Incentive
13 Program.

14 The provisions of this section shall be in effect only from July 1, ~~2020~~
15 2021 through June 30, ~~2021~~ 2022.

16
17 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
19 HEALTH EDUCATION GRANTS AND LOANS - PRIORITIES. The Arkansas Higher Education
20 Coordinating Board, after consulting with the recognized associations of each
21 of the applicable medical professions and other interested persons, shall
22 determine the priorities for the applicable programs enumerated in the
23 appropriation made for "Health Education Grants and Loans" in this Act. The
24 Arkansas ~~Department~~ Division of Higher Education, if necessary, shall re-
25 adjust the number of positions for entering students to be funded for each
26 applicable program based upon the priorities determined by the board.

27 The provisions of this section shall be in effect only from July 1, ~~2020~~
28 2021 through June 30, ~~2021~~ 2022.

29
30 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
32 FINANCIAL AID PROGRAMS REPORTING. The Arkansas Department of Education -
33 Division of Higher Education shall report by May 30 to the House and Senate
34 Interim Committees on Education the budgeted allocation for each financial
35 aid program funded through the Higher Education Grants Fund Account for the
36 upcoming fiscal year and projections for the following year.

1 The provisions of this section shall be in effect only from July 1, ~~2020~~
2 2021 through June 30, ~~2021~~ 2022.

3
4 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
6 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that
7 receives state scholarship funds administered by the Arkansas Department of
8 Education - Division of Higher Education shall be subject to audit/review of
9 such funds by the Division of Legislative Audit, upon approval of the
10 Legislative Joint Audit Committee.

11 The provisions of this section shall be in effect only from July 1, ~~2020~~
12 2021 through June 30, ~~2021~~ 2022.

13
14 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
16 FUNDING FOR SALARY INCREASES. New funding through the Revenue Stabilization
17 Act determined by the Arkansas Department of Education - Division of Higher
18 Education to have been for salary increases for the fiscal year for
19 Institutions of Higher Education shall be used exclusively for salary
20 increases. New funding actually received for salary increases shall be spent
21 exclusively for salary increases based upon the state general revenue portion
22 of total unrestricted educational and general revenue. Funding received under
23 this provision shall be used for no purpose other than to provide such salary
24 increases. Any designated funds not used for salary increases shall be
25 recouped at the end of each fiscal year and transferred to the General
26 Revenue Allotment Reserve Fund.

27 The provisions of this section shall be in effect only from July 1, ~~2020~~
28 2021 through June 30, ~~2021~~ 2022.

29
30 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE
32 PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall
33 transfer sufficient funding for the fiscal year from the Higher Education
34 Grants Fund Account to the ~~Department~~ Division of Higher Education Fund
35 Account in order to finance the personal services costs of a DHE Program
36 Coordinator.

1 The provisions of this section shall be in effect only from July 1, 2020
2 2021 through June 30, ~~2021~~ 2022.

3
4 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
6 TRANSFER PROVISION. Upon certification by the Director of the ~~Department~~
7 Division of Higher Education that transfers are needed to make maximum
8 utilization of funds and appropriations provided for financial aid programs,
9 and with the approval of the Chief Fiscal Officer of the State and a review
10 by the Arkansas Legislative Council or Joint Budget Committee, funds and
11 appropriations may be transferred between financial aid programs to more
12 adequately align the appropriation with the number of eligible students.

13 The provisions of this section shall be in effect only from July 1, 2020
14 2021 through June 30, ~~2021~~ 2022.

15
16 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
18 TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION
19 GRANTS AND LOANS. Upon certification to and with the approval of the Chief
20 Fiscal Officer of the State, surplus funds and appropriations may be
21 transferred between the appropriations provided for "Health Education Grants
22 and Loans" by this Act by the General Assembly for Dental Aid Grants and
23 Loans, Optometry Aid Grants and Loans, Veterinary Aid, Veterinary Med. Loan
24 Forgiveness Program, Podiatry Aid, and Chiropractic Aid.

25 The provisions of this section shall be in effect only from July 1, 2020
26 2021 through June 30, ~~2021~~ 2022.

27
28 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
30 CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval by
31 the Department of Education - Division of Higher Education and the Chief
32 Fiscal Officer of the State, institutions of higher education may transfer
33 appropriation from the cash contingency appropriation to any other
34 appropriation made to the institution from cash funds including the
35 establishment of commitment items, and may transfer appropriation from the
36 contingency appropriation made payable from each institution's State Treasury

1 Fund to the state operations appropriation made payable from each
2 institution's State Treasury Fund including the establishment of commitment
3 items, and may transfer appropriation from the contingency appropriation made
4 payable from the Tobacco Settlement Program Fund Accounts to any other
5 appropriation made to the institution from Tobacco Settlement Program Fund
6 Accounts including the establishment of commitment items.

7 (b) Contingency appropriation transfers shall only establish and
8 supplement commitment items that were recommended by the Higher Education
9 Coordinating Board in the budget manuals presented to the Legislative Council
10 and Joint Budget Committee.

11 (c) The Department of Education - Division of Higher Education shall
12 report contingency appropriation transfers and the establishment of any
13 commitment items authorized by this Section to the Legislative Council or
14 Joint Budget Committee for review during its July meeting. The report shall
15 include, by institution, the establishment of, and the amounts transferred
16 to, each commitment item, the reasons therefor and the source of funds.
17 Institutions shall submit contingency appropriation transfer and commitment
18 item establishment requests authorized by this Section to the ~~Department~~
19 Division of Higher Education no later than July 1. Upon the failure of an
20 institution to submit the required information by the July 1 deadline, the
21 Department of Education - Division of Higher Education shall immediately
22 notify by written notification the chairpersons of the Legislative Council or
23 Joint Budget Committee.

24 The provisions of this section shall be in effect only from July 1, ~~2020~~
25 2021 through June 30, ~~2021~~ 2022.

26
27 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
29 STUDENT UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the
30 Student Undergraduate Research Fellowship (SURF) Program is the continued
31 development of undergraduate academic research efforts at Arkansas colleges
32 and universities. The Arkansas Department of Education - Division of Higher
33 Education shall adopt rules and regulations necessary for the proper
34 administration of the Student Undergraduate Research Fellowship Program.
35 Administrative functions and responsibilities may include, but not
36 necessarily be limited to, the development of eligibility criteria,

1 collection of applications, coordination of student evaluations, distribution
 2 of public notices, and funding of grants for academic research purposes.
 3 Staff of the Arkansas Department of Education - Division of Higher Education
 4 shall administer this program. The Arkansas Department of Education -
 5 Division of Higher Education shall be authorized to expense costs associated
 6 with the administration of the program, from funds made payable from the
 7 Higher Education Grants Fund Account for the Student Undergraduate Research
 8 Fellowship Program as authorized in the Student Assistance Grants and Various
 9 Scholarships appropriation section of this Act.

10 The provisions of this section shall be in effect only from July 1, ~~2020~~
 11 2021 through June 30, ~~2021~~ 2022.

12
 13 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
 15 COST ALLOCATION. The Department of Education - Division of Higher Education
 16 may refund to the Division of Higher Education Fund Account or the Higher
 17 Education Grants Fund Account such amount determined by the Department to be
 18 reimbursements received from the Office of the Arkansas Lottery for costs
 19 related to the administration of the Arkansas Academic Challenge Scholarship
 20 Program.

21 The provisions of this section shall be in effect only from July 1, ~~2020~~
 22 2021 through June 30, ~~2021~~ 2022.

23
 24 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
 26 APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY
 27 TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of of
 28 Education - Division of Higher Education shall determine the amount
 29 available, up to \$200,000 per fiscal year, to fund the Arkansas Geographical
 30 Critical Needs Minority Teacher Scholarships and shall certify to the Chief
 31 Fiscal Officer of the State and the State Treasurer such amount as is
 32 required to be transferred from the Higher Education Grants Fund Account.
 33 Upon receiving such certification, the Chief Fiscal Officer of the State and
 34 the State Treasurer shall cause to be transferred the necessary funds and
 35 appropriation to the fund account of the University of Arkansas at Pine Bluff
 36 for implementation of this program. The University of Arkansas at Pine Bluff

1 may use up to twenty percent (20%) of the funds and appropriation for
2 administration of the program.

3 The provisions of this section shall be in effect only from July 1, ~~2020~~
4 2021 through June 30, ~~2021~~ 2022.

5
6 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
8 ADMINISTRATIVE FEES. The Department of Education - Division of Higher
9 Education is authorized to recover non-refundable administrative fees related
10 to the institutional certification and exemption process for out-of-state,
11 non-public, and for-profit colleges and universities. These fees include a
12 notification fee, an application processing fee, and travel expenses for the
13 certification review teams.

14 The provisions of this section shall be in effect only from July 1, ~~2020~~
15 2021 through June 30, ~~2021~~ 2022.

16
17 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE
19 WORKFORCE INITIATIVE ACT FUNDING. The Chief Fiscal Officer of the State may
20 transfer, on his or her books and those of the State Treasurer and the
21 Auditor of the State, funding up to the amount authorized in the Workforce
22 Initiative Act of 2015 appropriation section in this Act, from the Division
23 of Higher Education Fund Account to the Workforce Initiative Act of 2015 Fund
24 in order to finance the distribution of grants identified under §6-60-107.

25 The provisions of this section shall be in effect only from July 1, ~~2020~~
26 2021 through June 30, ~~2021~~ 2022.

27
28 SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
30 ARKANSAS WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a)
31 As used in this section, "Arkansas Works Program" means the Arkansas Works
32 Program established under the Identical Acts 2016 (2nd Ex. Sess.), Nos. 1 and
33 2, Arkansas Code § 23-61-1001 et seq.

34 (b)(1) Determining the maximum number of employees, the maximum amount
35 of appropriation, for what purposes an appropriation is authorized, and
36 general revenue funding for a publicly supported institution of higher

1 education each fiscal year is the prerogative of the General Assembly.

2 (2) The purposes of subdivision (b)(1) of this section are
 3 typically accomplished by:

4 (A) Identifying the purpose in the appropriation act;

5 (B) Delineating such maximums in the appropriation act for
 6 a publicly supported institution of higher education; and

7 (C) Delineating the general revenue allocations authorized
 8 for each fund and fund account by amendment to the Revenue Stabilization Law,
 9 Arkansas Code § 19-5-101 et seq.

10 (3) It is both necessary and appropriate that the General
 11 Assembly restrict the use of appropriations authorized in the acts of
 12 publicly supported institutions of higher education.

13 (c)(1) Except as provided in this subsection, the publicly supported
 14 institutions of higher education shall not allocate, budget, expend, or
 15 utilize any appropriation authorized by the General Assembly for the purpose
 16 of advertisement, promotion, or other activities designed to promote or
 17 encourage enrollment in the Arkansas Health Insurance Marketplace or the
 18 Arkansas Works Program, including without limitation:

19 (A) Unsolicited communications mailed to potential
 20 recipients;

21 (B) Television, radio, or online commercials;

22 (C) Billboard or mobile billboard advertising;

23 (D) Advertisements printed in newspapers, magazines, or
 24 other print media; and

25 (E) Internet websites and electronic media.

26 (2) This subsection does not prohibit the publicly supported
 27 institutions of higher education from:

28 (A) Direct communications with licensed insurance agents;

29 (B) Solicited communications with potential recipients;

30 (C)(i) Responding to an inquiry regarding the coverage for
 31 which a potential recipient might be eligible, including without limitation
 32 providing educational materials or information regarding any coverage for
 33 which the individual might qualify.

34 (ii) Educational materials and information
 35 distributed under subdivision (c)(2)(C)(i) of this section shall contain only
 36 factual information and shall not contain subjective statements regarding the

1 coverage for which the potential recipient might be eligible; and

2 (D) Using an Internet website for the exclusive purpose of
3 enrolling individuals in the Arkansas Health Insurance Marketplace or the
4 Arkansas Works Program.

5 (d) The publicly supported institutions of higher education shall not
6 apply for or accept any funds, including without limitation federal funds,
7 for the purpose of advertisement, promotion, or other activities designed to
8 promote or encourage enrollment in the Arkansas Health Insurance Marketplace
9 or the Arkansas Works Program.

10 (e)(1) Except as provided in subdivision (e)(2) of this section, the
11 publicly supported institutions of higher education shall not:

12 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of
13 this section, allocate, budget, expend, or utilize an appropriation
14 authorized by the General Assembly for the purpose of funding activities of
15 navigators, guides, certified application counselors, and certified licensed
16 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
17 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

18 (ii) Subdivision (e)(1)(A)(i) of this section does
19 not apply to regulatory and training responsibilities related to navigators,
20 guides, certified application counselors, and certified licensed producers;
21 and

22 (B) Apply for or accept any funds, including without
23 limitation federal funds, for the purpose of funding activities of
24 navigators, guides, certified application counselors, and certified licensed
25 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
26 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

27 (2) Subdivision (e)(1) of this section does not apply to
28 certified application counselors at health related institutions, including
29 without limitation the University of Arkansas for Medical Sciences.

30 (f) An appropriation authorized by the General Assembly shall not be
31 subject to the provisions allowed through reallocation of resources or
32 transfer of appropriation authority for the purpose of transferring an
33 appropriation to any other appropriation authorized for publicly supported
34 institutions of higher education to be allocated, budgeted, expended, or
35 utilized in a manner prohibited by this section.

36 (g) The provisions of this section are severable, and the invalidity

1 of any subsection or subdivision of this section shall not affect other
 2 provisions of the section that can be given effect without the invalid
 3 provision.

4 (h) This section expires on June 30, ~~2021~~ 2022.

5
 6 SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
 8 ARKANSAS WORKFORCE CHALLENGE SCHOLARSHIP FUNDS. The Department of Education -
 9 Division of Higher Education may transfer Arkansas Workforce Challenge
 10 Scholarship funds to:

11 (1)(A) An Arkansas Academic Challenge Scholarship account in an
 12 amount necessary to fund scholarship awards for nontraditional students for
 13 the 2017-2018 academic year that were not funded due to the limitation on the
 14 scholarship award amount for nontraditional students under § 6-85-
 15 212(e)(2)(A) as it existed before the effective date of this act.

16 (B) The department may distribute scholarship awards to
 17 nontraditional students for the 2017-2018 academic year from funds
 18 transferred under subdivision (1)(A) of this section; and

19 (2)(A) The Office of the Arkansas Lottery in an amount not to
 20 exceed the amount required to fund scholarship awards to be distributed under
 21 § 6-85-201 et seq. for the 2018-2019 or 2019-2020 academic years without
 22 having to draw upon the Scholarship Shortfall Reserve Trust Account under §
 23 23-115-802.

24 (B) If the transfer under subdivision (2)(A) of this
 25 section exhausts the department’s Arkansas Workforce Challenge Scholarship
 26 funds and there remain insufficient funds for distribution as scholarship
 27 awards under § 6-85-201 et seq. for the 2018-2019 or 2019-2020 academic years
 28 without having to draw upon the trust account, then the trust account may be
 29 drawn upon as provided under § 23-115-802.

30 The provisions of this section shall be in effect only from July 1, ~~2020~~
 31 2021 through June 30, ~~2021~~ 2022.

32
 33 SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
 35 STATEWIDE SCHOLARSHIP AND GRANT PROMOTION. Of the general revenue that is
 36 received by and distributed from the Higher Education Grants Fund Account,

1 the Chief Fiscal Officer of the State shall transfer two hundred ninety-five
2 thousand dollars (\$295,000) to the Division of Higher Education Fund Account
3 to be allocated, budgeted, committed and distributed to the Statewide
4 Scholarship and Grant Promotion line item in the General Operations section
5 of this Act for the purpose of increasing public awareness of the
6 scholarships and grants offered by the State through the Arkansas Department
7 of Education - Division of Higher Education. The Department shall utilize a
8 minimum of one hundred forty-seven thousand five hundred dollars (\$147,500)
9 of the aforementioned total specifically for the promotion of the Arkansas
10 Futures Grant Program.

11 The provisions of this section shall be in effect only from July 1, ~~2020~~
12 2021 through June 30, ~~2021~~ 2022.

13
14 SECTION 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NTI -
16 ADDITIONAL TEACHING LOAD. Full-time staff and ten (10) extra help positions
17 at Northwest Technical Institute, may be paid up to seventy-five dollars
18 (\$75) per clock hour for the fiscal year ending June 30, ~~2021~~ 2022, for
19 noncredit teaching assignments; or up to five hundred fifty dollars (\$550)
20 per semester hour for the fiscal year ending June 30, ~~2021~~ 2022, for teaching
21 courses beyond the defined teaching load; and the employee's maximum
22 allowable salary may be exceeded by such amount; provided, however, that such
23 additional teaching load may not exceed one hundred fifty (150) clock hours
24 or nine (9) semester credit hours per school year. Further, the provisions
25 of this section shall only apply to credit and noncredit courses that are
26 funded by Private Industry.

27 The provisions of this section shall be in effect only from July 1, ~~2020~~
28 2021 through June 30, ~~2021~~ 2022.

29
30 SECTION 50. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
31 authorized by this act shall be limited to the appropriation for such agency
32 and funds made available by law for the support of such appropriations; and
33 the restrictions of the State Procurement Law, the General Accounting and
34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
35 Procedures and Restrictions Act, or their successors, and other fiscal
36 control laws of this State, where applicable, and regulations promulgated by

1 the Department of Finance and Administration, as authorized by law, shall be
2 strictly complied with in disbursement of said funds.

3
4 SECTION 51. LEGISLATIVE INTENT. It is the intent of the General
5 Assembly that any funds disbursed under the authority of the appropriations
6 contained in this act shall be in compliance with the stated reasons for
7 which this act was adopted, as evidenced by the Agency Requests, Executive
8 Recommendations and Legislative Recommendations contained in the budget
9 manuals prepared by the Department of Finance and Administration, letters, or
10 summarized oral testimony in the official minutes of the Arkansas Legislative
11 Council or Joint Budget Committee which relate to its passage and adoption.
12

13 SECTION 52. EMERGENCY CLAUSE. It is found and determined by the
14 General Assembly, that the Constitution of the State of Arkansas prohibits
15 the appropriation of funds for more than a one (1) year period; that the
16 effectiveness of this Act on July 1, 2021 is essential to the operation of
17 the agency for which the appropriations in this Act are provided, and that in
18 the event of an extension of the legislative session, the delay in the
19 effective date of this Act beyond July 1, 2021 could work irreparable harm
20 upon the proper administration and provision of essential governmental
21 programs. Therefore, an emergency is hereby declared to exist and this Act
22 being necessary for the immediate preservation of the public peace, health
23 and safety shall be in full force and effect from and after July 1, 2021.
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