

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

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

As Engrossed: S3/4/21 S3/8/21

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
14

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:
23

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.
28

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:

3		
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:

24

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:

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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:

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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:

11

12 ITEM	FISCAL YEAR
13 NO.	2021-2022
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 NO.	2021-2022
33 (01) MAINT. & GEN. OPERATION	
34 (A) OPER. EXPENSE	\$269,233
35 (B) CONF. & TRAVEL	32,865
36 (C) PROF. FEES	63,932

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	0
3	(02) SCHOLARSHIPS	<u>50,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$416,030</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:

12

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:

4	5 ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2021-2022</u>
7	(01) REGULAR SALARIES	\$206,250
8	(02) PERSONAL SERVICES MATCHING	64,566
9	(03) MAINT. & GEN. OPERATION	
10	(A) OPER. EXPENSE	44,049
11	(B) CONF. & TRAVEL	10,000
12	(C) PROF. FEES	4,784
13	(D) CAP. OUTLAY	0
14	(E) DATA PROC.	0
15	(04) SELF SUFFICIENCY/JOB TRAINING GRANTS	<u>6,821,431</u>
16	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:

24	25 ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2021-2022</u>
27	(01) WEB BASED APPLICATIONS PERSONAL	
28	SERVICES AND OPERATING EXPENSES	<u>\$1,000,000</u>

29
 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:

20

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:

31

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

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2021-2022</u>
15	(01) REGULAR SALARIES	\$203,401
16	(02) PERSONAL SERVICES MATCHING	69,297
17	(03) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	53,546
19	(B) CONF. & TRAVEL	9,623
20	(C) PROF. FEES	0
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	<u>0</u>
23	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

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2021-2022</u>
34	(01) REGULAR SALARIES	\$248,205
35	(02) PERSONAL SERVICES MATCHING	85,204
36	(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>

7

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. APPROPRIATION. GRADUATE MEDICAL EDUCATION RESIDENCY

32 EXPANSION BOARD. There is hereby appropriated, to the Department of

33 Education - Division of Higher Education, to be payable from the Graduate

34 Medical Education Fund, for planning grants to eligible entities for graduate

35 medical education residency program expansion or new programs and for board

36 expenses and reimbursements, in a sum not to exceed.....\$400,000.

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2 SECTION 23. REGULAR SALARIES - NORTHWEST TECHNICAL INSTITUTE. There is
3 hereby established for the Department of Education - Division of Higher
4 Education - Northwest Technical Institute for the 2021-2022 fiscal year, the
5 following maximum number of regular employees.

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

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SECTION 24. EXTRA HELP - NORTHWEST TECHNICAL INSTITUTE. There is hereby authorized, for the Department of Education - Division of Higher Education - Northwest Technical Institute 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: one hundred thirty-five (135) 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 25. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - STATE. There is hereby appropriated, to the Department of Education, to be payable from the Northwest Technical Institute Fund, for personal services and operating expenses of the Department of Education - Division of Higher Education - Northwest Technical Institute - State for the fiscal year ending June 30, 2022, the following:

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

SECTION 26. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - FEDERAL. There is hereby appropriated, to the Department of Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Education - Division of Higher Education - Northwest Technical Institute -

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

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3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2021-2022</u>
5	(01) REGULAR SALARIES	\$46,120
6	(02) EXTRA HELP	245,000
7	(03) PERSONAL SERVICES MATCHING	34,473
8	(04) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	14,258
10	(B) CONF. & TRAVEL	0
11	(C) PROF. FEES	0
12	(D) CAP. OUTLAY	0
13	(E) DATA PROC.	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$339,851</u></u>

15

16 SECTION 27. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - CASH.

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

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

36

1 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
3 EMERGENCY GRANTS & EXTRA HELP POOL. An Institution of higher education that
4 suffers an emergency/disaster event resulting in all or a significant portion
5 of campus operations being interrupted, may request disaster assistance
6 through the Arkansas Department of Education - Division of Higher
7 Education. Upon the declaration of an emergency by the Governor, the
8 institution may request, subject to the recommendation of the Director of the
9 Department of Education - Division of Higher Education and approval of the
10 Governor, a grant from the Disaster Relief Fund to assist in returning that
11 campus to operation and/or to a sister campus providing services to the
12 students from the affected campus. Certified law enforcement officers
13 employed by an institution of higher education may be granted jurisdiction at
14 the sister institution, upon agreement of both institutions.
15 The Department of Education - Division of Higher Education is authorized a
16 pool of 500 extra help positions for use in such emergency situations. These
17 positions may be assigned to the campus suffering the disaster event or to a
18 sister campus providing services to the students from the affected
19 campus. The Governor may waive the 1,500 hour limit of ACA 6-63-314 on these
20 assigned extra help pool positions.

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 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
26 REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon
27 determination by the president or chancellor of an institution of higher
28 education that a reallocation of resources for purposes of reorganization or
29 consolidation of administrative functions within the institution is necessary
30 for efficient and effective operations of the institution, the president or
31 chancellor, with approval of the institution's board of trustees, may have
32 the authority to transfer positions, appropriations and related funds between
33 campuses, divisions, branches, and other budgetary units of the institution,
34 after receiving prior approval of the Legislative Council or Joint Budget
35 Committee. The transfers of positions, programs, or activities shall be used
36 for those purposes for which the appropriations were approved by the General

1 Assembly. The transfers, consolidations, or reorganizations which involve
2 academic programs shall be reviewed by the ~~Department~~ Division of Higher
3 Education prior to submission to the Legislative Council or Joint Budget
4 Committee. Provided, however, that the institution shall be limited to
5 submitting no more than two (2) individual transaction transfer requests
6 during any fiscal year and shall be further limited to no more than five
7 percent (5%) of the total General Revenue and Special Revenue appropriation,
8 funding, positions specific to each institution, and no Tobacco Settlement
9 funds or appropriations may be reallocated pursuant to this section.

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

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 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
32 LOANS. In order to provide timely payments under financial aid appropriations
33 made in this Act, the Chief Fiscal Officer of the State is authorized to
34 provide loans from the Budget Stabilization Trust Fund to make available all
35 funds attributable to the financial aid programs under the then current
36 official revenue estimates. In the event of an unanticipated state revenue

1 shortfall, any such loans remaining at the end of a fiscal year shall be
2 repaid from revenues distributed in the first two months of the next fiscal
3 year. Funds for appropriations made in this Act for purposes other than
4 financial aid shall not be affected by the application of this provision.

5 The provisions of this section shall be in effect only from July 1, ~~2020~~
6 2021 through June 30, ~~2021~~ 2022.

7
8 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
10 WORK FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made
11 available to the various technical colleges have been determined as set out
12 in Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B), such documents as
13 may be necessary shall be processed so that funds may be transferred from the
14 Work Force 2000 Development Fund to the State Treasury fund or fund account
15 from which the technical college draws its general revenue support. Such
16 funds as may be transferred shall not exceed 93.691% of the total funds
17 available from the Work Force 2000 Development Fund during the fiscal year.
18 In the event that a technical institute or comprehensive lifelong learning
19 center which receives support from the Work Force 2000 Development Fund as
20 determined by law transfers or merges into the Arkansas Technical College and
21 Community College System for which Work Force 2000 Development Fund monies
22 are determined by law, then the actual amount of support from the Work Force
23 2000 Development Fund in the preceding fiscal year for such educational
24 institution shall be made available irrespective of any other provision of
25 law which sets out maximum levels of support from such fund.

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

36 The provisions of this section shall be in effect only from July 1, ~~2020~~

1 2021 through June 30, ~~2021~~ 2022.

2

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

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

11

12 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
14 NATIONAL GUARD TUITION INCENTIVE PROGRAM. In addition to any other provisions
15 of law, any student who receives assistance from the appropriation made for
16 the "National Guard Tuition Incentive Program" in this Act shall repay any
17 loans and/or assistance if the student receives a discharge that is a less
18 than Honorable Discharge. Priority for funding shall be given to students
19 already receiving assistance from the National Guard Tuition Incentive
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 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
26 HEALTH EDUCATION GRANTS AND LOANS - PRIORITIES. The Arkansas Higher Education
27 Coordinating Board, after consulting with the recognized associations of each
28 of the applicable medical professions and other interested persons, shall
29 determine the priorities for the applicable programs enumerated in the
30 appropriation made for "Health Education Grants and Loans" in this Act. The
31 Arkansas ~~Department~~ Division of Higher Education, if necessary, shall re-
32 adjust the number of positions for entering students to be funded for each
33 applicable program based upon the priorities determined by the board.

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

8 The provisions of this section shall be in effect only from July 1, ~~2020~~
9 2021 through June 30, ~~2021~~ 2022.

10
11 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
13 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that
14 receives state scholarship funds administered by the Arkansas Department of
15 Education - Division of Higher Education shall be subject to audit/review of
16 such funds by the Division of Legislative Audit, upon approval of the
17 Legislative Joint Audit Committee.

18 The provisions of this section shall be in effect only from July 1, ~~2020~~
19 2021 through June 30, ~~2021~~ 2022.

20
21 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
23 FUNDING FOR SALARY INCREASES. New funding through the Revenue Stabilization
24 Act determined by the Arkansas Department of Education - Division of Higher
25 Education to have been for salary increases for the fiscal year for
26 Institutions of Higher Education shall be used exclusively for salary
27 increases. New funding actually received for salary increases shall be spent
28 exclusively for salary increases based upon the state general revenue portion
29 of total unrestricted educational and general revenue. Funding received under
30 this provision shall be used for no purpose other than to provide such salary
31 increases. Any designated funds not used for salary increases shall be
32 recouped at the end of each fiscal year and transferred to the General
33 Revenue Allotment Reserve Fund.

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 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE
3 PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall
4 transfer sufficient funding for the fiscal year from the Higher Education
5 Grants Fund Account to the ~~Department~~ Division of Higher Education Fund
6 Account in order to finance the personal services costs of a DHE Program
7 Coordinator.

8 The provisions of this section shall be in effect only from July 1, ~~2020~~
9 2021 through June 30, ~~2021~~ 2022.

10
11 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
13 TRANSFER PROVISION. Upon certification by the Director of the ~~Department~~
14 Division of Higher Education that transfers are needed to make maximum
15 utilization of funds and appropriations provided for financial aid programs,
16 and with the approval of the Chief Fiscal Officer of the State and a review
17 by the Arkansas Legislative Council or Joint Budget Committee, funds and
18 appropriations may be transferred between financial aid programs to more
19 adequately align the appropriation with the number of eligible students.

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 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
25 TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION
26 GRANTS AND LOANS. Upon certification to and with the approval of the Chief
27 Fiscal Officer of the State, surplus funds and appropriations may be
28 transferred between the appropriations provided for "Health Education Grants
29 and Loans" by this Act by the General Assembly for Dental Aid Grants and
30 Loans, Optometry Aid Grants and Loans, Veterinary Aid, Veterinary Med. Loan
31 Forgiveness Program, Podiatry Aid, and Chiropractic Aid.

32 The provisions of this section shall be in effect only from July 1, ~~2020~~
33 2021 through June 30, ~~2021~~ 2022.

34
35 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -

1 CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval by
2 the Department of Education - Division of Higher Education and the Chief
3 Fiscal Officer of the State, institutions of higher education may transfer
4 appropriation from the cash contingency appropriation to any other
5 appropriation made to the institution from cash funds including the
6 establishment of commitment items, and may transfer appropriation from the
7 contingency appropriation made payable from each institution's State Treasury
8 Fund to the state operations appropriation made payable from each
9 institution's State Treasury Fund including the establishment of commitment
10 items, and may transfer appropriation from the contingency appropriation made
11 payable from the Tobacco Settlement Program Fund Accounts to any other
12 appropriation made to the institution from Tobacco Settlement Program Fund
13 Accounts including the establishment of commitment items.

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

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

31 The provisions of this section shall be in effect only from July 1, ~~2020~~
32 2021 through June 30, ~~2021~~ 2022.

33
34 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
36 STUDENT UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the

1 Student Undergraduate Research Fellowship (SURF) Program is the continued
2 development of undergraduate academic research efforts at Arkansas colleges
3 and universities. The Arkansas Department of Education - Division of Higher
4 Education shall adopt rules and regulations necessary for the proper
5 administration of the Student Undergraduate Research Fellowship Program.
6 Administrative functions and responsibilities may include, but not
7 necessarily be limited to, the development of eligibility criteria,
8 collection of applications, coordination of student evaluations, distribution
9 of public notices, and funding of grants for academic research purposes.
10 Staff of the Arkansas Department of Education - Division of Higher Education
11 shall administer this program. The Arkansas Department of Education -
12 Division of Higher Education shall be authorized to expense costs associated
13 with the administration of the program, from funds made payable from the
14 Higher Education Grants Fund Account for the Student Undergraduate Research
15 Fellowship Program as authorized in the Student Assistance Grants and Various
16 Scholarships appropriation section of this Act.

17 The provisions of this section shall be in effect only from July 1, ~~2020~~
18 2021 through June 30, ~~2021~~ 2022.

19

20 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
22 COST ALLOCATION. The Department of Education - Division of Higher Education
23 may refund to the Division of Higher Education Fund Account or the Higher
24 Education Grants Fund Account such amount determined by the Department to be
25 reimbursements received from the Office of the Arkansas Lottery for costs
26 related to the administration of the Arkansas Academic Challenge Scholarship
27 Program.

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

30

31 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
33 APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY
34 TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of of
35 Education - Division of Higher Education shall determine the amount
36 available, up to \$200,000 per fiscal year, to fund the Arkansas Geographical

1 Critical Needs Minority Teacher Scholarships and shall certify to the Chief
2 Fiscal Officer of the State and the State Treasurer such amount as is
3 required to be transferred from the Higher Education Grants Fund Account.
4 Upon receiving such certification, the Chief Fiscal Officer of the State and
5 the State Treasurer shall cause to be transferred the necessary funds and
6 appropriation to the fund account of the University of Arkansas at Pine Bluff
7 for implementation of this program. The University of Arkansas at Pine Bluff
8 may use up to twenty percent (20%) of the funds and appropriation for
9 administration of the program.

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 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
15 ADMINISTRATIVE FEES. The Department of Education - Division of Higher
16 Education is authorized to recover non-refundable administrative fees related
17 to the institutional certification and exemption process for out-of-state,
18 non-public, and for-profit colleges and universities. These fees include a
19 notification fee, an application processing fee, and travel expenses for the
20 certification review teams.

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 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE
26 WORKFORCE INITIATIVE ACT FUNDING. The Chief Fiscal Officer of the State may
27 transfer, on his or her books and those of the State Treasurer and the
28 Auditor of the State, funding up to the amount authorized in the Workforce
29 Initiative Act of 2015 appropriation section in this Act, from the Division
30 of Higher Education Fund Account to the Workforce Initiative Act of 2015 Fund
31 in order to finance the distribution of grants identified under §6-60-107.

32 The provisions of this section shall be in effect only from July 1, ~~2020~~
33 2021 through June 30, ~~2021~~ 2022.

34
35 SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -

1 ARKANSAS WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a)
2 As used in this section, "Arkansas Works Program" means the Arkansas Works
3 Program established under the Identical Acts 2016 (2nd Ex. Sess.), Nos. 1 and
4 2, Arkansas Code § 23-61-1001 et seq.

5 (b)(1) Determining the maximum number of employees, the maximum amount
6 of appropriation, for what purposes an appropriation is authorized, and
7 general revenue funding for a publicly supported institution of higher
8 education each fiscal year is the prerogative of the General Assembly.

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

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

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

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

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

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

26 (A) Unsolicited communications mailed to potential
27 recipients;

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

29 (C) Billboard or mobile billboard advertising;

30 (D) Advertisements printed in newspapers, magazines, or
31 other print media; and

32 (E) Internet websites and electronic media.

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

35 (A) Direct communications with licensed insurance agents;

36 (B) Solicited communications with potential recipients;

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

5 (ii) Educational materials and information
6 distributed under subdivision (c)(2)(C)(i) of this section shall contain only
7 factual information and shall not contain subjective statements regarding the
8 coverage for which the potential recipient might be eligible; and

9 (D) Using an Internet website for the exclusive purpose of
10 enrolling individuals in the Arkansas Health Insurance Marketplace or the
11 Arkansas Works Program.

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

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

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

25 (ii) Subdivision (e)(1)(A)(i) of this section does
26 not apply to regulatory and training responsibilities related to navigators,
27 guides, certified application counselors, and certified licensed producers;
28 and

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

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

1 (f) An appropriation authorized by the General Assembly shall not be
2 subject to the provisions allowed through reallocation of resources or
3 transfer of appropriation authority for the purpose of transferring an
4 appropriation to any other appropriation authorized for publicly supported
5 institutions of higher education to be allocated, budgeted, expended, or
6 utilized in a manner prohibited by this section.

7 (g) The provisions of this section are severable, and the invalidity
8 of any subsection or subdivision of this section shall not affect other
9 provisions of the section that can be given effect without the invalid
10 provision.

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

12
13 SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
15 ARKANSAS WORKFORCE CHALLENGE SCHOLARSHIP FUNDS. The Department of Education -
16 Division of Higher Education may transfer Arkansas Workforce Challenge
17 Scholarship funds to:

18 (1)(A) An Arkansas Academic Challenge Scholarship account in an
19 amount necessary to fund scholarship awards for nontraditional students for
20 the 2017-2018 academic year that were not funded due to the limitation on the
21 scholarship award amount for nontraditional students under § 6-85-
22 212(e)(2)(A) as it existed before the effective date of this act.

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

26 (2)(A) The Office of the Arkansas Lottery in an amount not to
27 exceed the amount required to fund scholarship awards to be distributed under
28 § 6-85-201 et seq. for the 2018-2019 or 2019-2020 academic years without
29 having to draw upon the Scholarship Shortfall Reserve Trust Account under §
30 23-115-802.

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

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 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
6 STATEWIDE SCHOLARSHIP AND GRANT PROMOTION. Of the general revenue that is
7 received by and distributed from the Higher Education Grants Fund Account,
8 the Chief Fiscal Officer of the State shall transfer two hundred ninety-five
9 thousand dollars (\$295,000) to the Division of Higher Education Fund Account
10 to be allocated, budgeted, committed and distributed to the Statewide
11 Scholarship and Grant Promotion line item in the General Operations section
12 of this Act for the purpose of increasing public awareness of the
13 scholarships and grants offered by the State through the Arkansas Department
14 of Education - Division of Higher Education. The Department shall utilize a
15 minimum of one hundred forty-seven thousand five hundred dollars (\$147,500)
16 of the aforementioned total specifically for the promotion of the Arkansas
17 Futures Grant Program.

18 The provisions of this section shall be in effect only from July 1, ~~2020~~
19 2021 through June 30, ~~2021~~ 2022.

20
21 SECTION 50. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NTI -
23 ADDITIONAL TEACHING LOAD. Full-time staff and ten (10) extra help positions
24 at Northwest Technical Institute, may be paid up to seventy-five dollars
25 (\$75) per clock hour for the fiscal year ending June 30, ~~2021~~ 2022, for
26 noncredit teaching assignments; or up to five hundred fifty dollars (\$550)
27 per semester hour for the fiscal year ending June 30, ~~2021~~ 2022, for teaching
28 courses beyond the defined teaching load; and the employee's maximum
29 allowable salary may be exceeded by such amount; provided, however, that such
30 additional teaching load may not exceed one hundred fifty (150) clock hours
31 or nine (9) semester credit hours per school year. Further, the provisions
32 of this section shall only apply to credit and noncredit courses that are
33 funded by Private Industry.

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

10
11 SECTION 52. LEGISLATIVE INTENT. It is the intent of the General
12 Assembly that any funds disbursed under the authority of the appropriations
13 contained in this act shall be in compliance with the stated reasons for
14 which this act was adopted, as evidenced by the Agency Requests, Executive
15 Recommendations and Legislative Recommendations contained in the budget
16 manuals prepared by the Department of Finance and Administration, letters, or
17 summarized oral testimony in the official minutes of the Arkansas Legislative
18 Council or Joint Budget Committee which relate to its passage and adoption.

19
20 SECTION 53. EMERGENCY CLAUSE. It is found and determined by the
21 General Assembly, that the Constitution of the State of Arkansas prohibits
22 the appropriation of funds for more than a one (1) year period; that the
23 effectiveness of this Act on July 1, 2021 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the legislative session, the delay in the
26 effective date of this Act beyond July 1, 2021 could work irreparable harm
27 upon the proper administration and provision of essential governmental
28 programs. Therefore, an emergency is hereby declared to exist and this Act
29 being necessary for the immediate preservation of the public peace, health
30 and safety shall be in full force and effect from and after July 1, 2021.

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32
33 */s/ Joint Budget Committee*
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