

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

1 State of Arkansas  
2 93rd General Assembly  
3 Fiscal Session, 2022  
4

As Engrossed: S3/2/22

# A Bill

SENATE BILL 64

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PUBLIC SCHOOL  
9 FUND GRANTS FOR THE DEPARTMENT OF EDUCATION -  
10 DIVISION OF ELEMENTARY AND SECONDARY EDUCATION -  
11 PUBLIC SCHOOL FUND FOR THE FISCAL YEAR ENDING JUNE  
12 30, 2023; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
16 DIVISION OF ELEMENTARY AND SECONDARY  
17 EDUCATION - PUBLIC SCHOOL FUND  
18 APPROPRIATION FOR THE 2022-2023 FISCAL  
19 YEAR.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND  
26 SPECIAL PROGRAMS. There is hereby appropriated, to the Department of  
27 Education, to be payable from the Division of Elementary and Secondary  
28 Education Public School Fund Account, for grants and aid to local school  
29 districts and special programs of the Department of Education - Division of  
30 Elementary and Secondary Education for the fiscal year ending June 30, 2023,  
31 the following:  
32

33 ITEM	FISCAL YEAR
34 NO.	2022-2023
35 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
36 (02) ADVANCED PLACEMENT INCENTIVE	1,275,000



1	(03)	ALTERNATIVE LEARNING	35,783,095
2	(04)	ARKANSAS EASTER SEALS	193,113
3	(05)	ASSESSMENT/END OF LEVEL TESTING	20,309,189
4	(06)	AT RISK	1,688,530
5	(07)	BETTER CHANCE PROGRAM	\$114,000,000
6	(08)	BONDED DEBT ASSISTANCE	28,455,384
7	(09)	COMPUTER SCIENCE INITIATIVE	3,500,000
8	(10)	CONSOLIDATION INCENTIVE	5,981,400
9	(11)	CONTENT STANDARDS	161,000
10	(12)	CONTENTS STANDARDS CURRICULUM	
11		FRAMEWORKS	50,000
12	(13)	COOP EDUCATION TECH CENTERS	1,200,000
13	(14)	COORDINATED SCHOOL HEALTH	2,000,000
14	(15)	DECLINING ENROLLMENT	13,963,389
15	(16)	DEPT OF CORRECTION	8,702,425
16	(17)	DISTANCE LEARNING	4,760,000
17	(18)	DISTANCE LEARNING OPERATIONS	7,575,000
18	(19)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
19	(20)	ECONOMIC EDUCATION	400,000
20	(21)	EDUCATION SERVICE COOPERATIVES	6,129,270
21	(22)	EIDT SPECIAL EDUCATION SERVICES	6,000,000
22	(23)	ENGLISH LANGUAGE LEARNERS	19,075,847
23	(24)	ENHANCED STUDENT ACHIEVEMENT FUNDING	246,723,439
24	(25)	ENHANCED TRANSPORTATION FUNDING	7,200,000
25	(26)	ESA MATCHING GRANT PROGRAM	5,300,000
26	(27)	GIFTED & TALENTED	1,485,381
27	(28)	GRANTS TO SCHOOL DISTRICTS	67,856
28	(29)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
29	(30)	INTERVENTION BLOCK GRANTS	302,000
30	(31)	ISOLATED FUNDING	7,896,000
31	(32)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	1,400,000
32	(33)	MASTER PRINCIPAL BONUS	175,000
33	(34)	NATIONAL BOARD OF PROF TEACHING	
34		STANDARDS	18,738,000
35	(35)	NON-TRADITIONAL LICENSURE	50,000
36	(36)	OE CHARTER FAC FUNDING AID PROGRAM	9,075,000

1	(37)	POSITIVE YOUTH DEVELOPMENT GRANTS	5,000,000
2	(38)	PROFESSIONAL DEVELOPMENT FUNDING	37,175,911
3	(39)	PUBLIC SCHOOL EMPLOYEE INSURANCE	142,000,000
4	(40)	R.I.S.E. ARKANSAS	970,000
5	(41)	RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
6	(42)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
7	(43)	SCHOOL FOOD SERVICES	1,650,000
8	(44)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
9	(45)	SCHOOL FUNDING CONTINGENCY	25,000,000
10	(46)	SCHOOL RECOGNITION	7,000,000
11	(47)	SCHOOL WORKER DEFENSE	390,000
12	(48)	SERIOUS OFFENDER	1,716,859
13	(49)	SMART START/SMART STEP	10,666,303
14	(50)	SPECIAL EDUCATION SERVICES	2,802,527
15	(51)	SPECIAL EDUCATION-CATASTROPHIC	13,998,150
16	(52)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
17	(53)	STATE FOUNDATION FUNDING	2,206,861,456
18	(54)	STUDENT GROWTH	37,690,144
19	(55)	SURPLUS COMMODITIES	1,125,065
20	(56)	TEACHER LICENSING/MENTORING	6,065,758
21	(57)	TEACHER OF THE YEAR	100,000
22	(58)	TEACHER RECRUITMENT	2,100,000
23	(59)	TEACHER RETIREMENT MATCHING	14,776,754
24	(60)	TEACHER SALARY EQUALIZATION	60,000,000
25	(61)	TECHNOLOGY GRANTS	3,602,678
26	(62)	TECHNOLOGY IMPROVEMENTS	500,000
27	(63)	WORKER'S COMPENSATION	450,000
28	(64)	YOUTH SHELTERS	<u>165,000</u>
29		TOTAL AMOUNT APPROPRIATED	<u>\$3,233,266,080</u>

30

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

32 There is hereby established for the Department of Education - Division of  
 33 Elementary and Secondary Education - Arkansas Public School Computer Network  
 34 for the 2022-2023 fiscal year, the following maximum number of regular  
 35 employees.

36

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2022-2023
(1)	D105C ADE STATE NETWORK ENGINEER	1	GRADE IT09
(2)	D104C ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE IT08
(3)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(4)	D042C DATA WAREHOUSE SPECIALIST	1	GRADE IT06
(5)	D037C ADE APSCN APPLICATIONS MANAGER	3	GRADE IT05
(6)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
(7)	D055C ADE APSCN FIELD ANALYST	25	GRADE IT04
(8)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
(9)	N047N ADE APSCN DIRECTOR	1	GRADE GS15
(10)	G012C ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
(11)	G050C ADE APSCN DIVISION MANAGER	3	GRADE GS10
(12)	C020C STUDENT APPLICATIONS SPECIALIST	4	GRADE GS06
(13)	D077C HELP DESK SPECIALIST	2	GRADE GS05
(14)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
	MAX. NO. OF EMPLOYEES	48	

SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

There is hereby appropriated, to the Department of Education, to be payable from the Division of Elementary and Secondary Education Public School Fund Account, for personal services and operating expenses of the Department of Education - Division of Elementary and Secondary Education - Arkansas Public School Computer Network for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
NO.	2022-2023
(01) REGULAR SALARIES	\$2,670,977
(02) PERSONAL SERVICES MATCHING	872,723
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	25,245,839
(B) CONF. & TRAVEL	7,250
(C) PROF. FEES	0

1	(D) CAP. OUTLAY	200,000
2	(E) DATA PROC.	0
3	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$29,296,789</u></u>

5

6 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There  
 7 is hereby established for the Department of Education - Division of  
 8 Elementary and Secondary Education - Office of Education Renewal Zones for  
 9 the 2022-2023 fiscal year, the following maximum number of regular employees.

10

11		Maximum Annual
12		Salary Rate
13	Item Class	Fiscal Year
14	No. Code Title	2022-2023
15	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3 GRADE GS08
16	(2) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u> GRADE GS04
17	MAX. NO. OF EMPLOYEES	4

18

19 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is  
 20 hereby appropriated, to the Department of Education, to be payable from the  
 21 Division of Elementary and Secondary Education Public School Fund Account,  
 22 for personal services, operating expenses, and grants by the Department of  
 23 Education - Division of Elementary and Secondary Education - Office of  
 24 Education Renewal Zones for the fiscal year ending June 30, 2023, the  
 25 following:

26

27	ITEM	FISCAL YEAR
28	NO.	2022-2023
29	(01) REGULAR SALARIES	\$168,180
30	(02) PERSONAL SERVICES MATCHING	60,231
31	(03) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	25,000
33	(B) CONF. & TRAVEL	3,000
34	(C) PROF. FEES	0
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	0

1	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,101,150</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,357,561</u></u>

3

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

5 There is hereby appropriated, to the Department of Education, to be payable  
6 from the Division of Elementary and Secondary Education Public School Fund  
7 Account, for grants and aid to provide additional funding to school districts  
8 currently below the statutory minimum teacher salary schedule by the  
9 Department of Education - Division of Elementary and Secondary Education -  
10 Educator Compensation Reform Grants and Aid for the fiscal year ending June  
11 30, 2023, the following:

12

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2022-2023</u>
15	(01) EDUCATOR COMPENSATION REFORM PROGRAM	<u>\$60,000,000</u>

16

17 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.  
19 ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for  
20 R.I.S.E. Arkansas remaining on June 30, ~~2022~~ 2023, in the Division of  
21 Elementary and Secondary Education Public School Fund Account shall be  
22 designated and retained for the R.I.S.E. Arkansas. Any carry forward of  
23 unexpected balance of funding as authorized herein, may be carried forward  
24 under the following conditions:

25 (1) Prior to June 30, ~~2022~~ 2023 the Agency shall by written statement  
26 set forth its reason(s) for the need to carry forward said funding to the  
27 Department of Finance and Administration Office of Budget;

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

35 (3) Each Agency, Board, Commission or Institution shall provide a  
36 written report to the Arkansas Legislative Council or Joint Budget Committee

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

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

11 The provisions of this section shall be in effect only from July 1, ~~2021~~  
12 2022 through June 30, ~~2022~~ 2023.

13

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

32 The provisions of this section shall be in effect only from July 1, ~~2021~~  
33 2022 through June 30, ~~2022~~ 2023.

34

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

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

21 The provisions of this section shall be in effect only from July 1, ~~2021~~  
22 2022 through June 30, ~~2022~~ 2023.

23

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

34 The provisions of this section shall be in effect only from July 1, ~~2021~~  
35 2022 through June 30, ~~2022~~ 2023.

36

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

6 The provisions of this section shall be in effect only from July 1, ~~2021~~  
7 2022 through June 30, ~~2022~~ 2023.

8  
9 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
11 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for  
12 Residential Centers/Juvenile Detention shall be allocated in accordance with  
13 rules and regulations established by the State Board of Education.

14 The provisions of this section shall be in effect only from July 1, ~~2021~~  
15 2022 through June 30, ~~2022~~ 2023.

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

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

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

8 The provisions of this section shall be in effect only from July 1, ~~2021~~  
9 2022 through June 30, ~~2022~~ 2023.

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

19 The provisions of this section shall be in effect only from July 1, ~~2021~~  
20 2022 through June 30, ~~2022~~ 2023.

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

32 The provisions of this section shall be in effect only from July 1, ~~2021~~  
33 2022 through June 30, ~~2022~~ 2023.

34  
35 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER

1 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby  
2 authorized to expend a maximum of two percent (2%) of available funds for  
3 administration of the Better Chance Program. Up to 1.8% of available funds  
4 shall be used to administer the program and to monitor program grantees to  
5 ensure compliance with programmatic standards. Prior to the utilization of  
6 the remaining 0.2% of available funds, the Department of Education shall seek  
7 prior review and approval of the Arkansas Legislative Council or Joint Budget  
8 Committee by providing a written request to include the following: a) the  
9 Department's reason(s) for the use of the funds and b) the amount of funds  
10 that will be expended. The Department may contract with the Division of  
11 Elementary and Secondary Education to administer the program.

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

25 The provisions of this section shall be in effect only from July 1, ~~2021~~  
26 2022 through June 30, ~~2022~~ 2023.

27

28 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE  
30 TEACHER SALARY. The Arkansas Department of Education is requested to  
31 calculate Average Teacher Salary in the Department's Annual Statistical  
32 Report to not include extra duty funds. Specifically, the Department is  
33 requested to calculate the Average Teacher Salary amount using the National  
34 Education Association definitions for Average Salary for Classroom Teachers.  
35 The Arkansas Department of Education shall submit this data annually to the  
36 National Education Association in accordance with that organization's

1 deadlines for submission for their report "Rankings and Estimates" which  
2 includes state-by-state teacher salary comparisons.

3 The provisions of this section shall be in effect only from July 1, ~~2021~~  
4 2022 through June 30, ~~2022~~ 2023.

5

6 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
8 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated  
9 for the Arkansas Better Chance for School Success Program remaining on June  
10 30, ~~2022~~ 2023, in the Division of Elementary and Secondary Education Public  
11 School Fund Account shall be designated and retained for the Arkansas Better  
12 Chance for School Success Program.

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

15 (1) Prior to June 30, ~~2022~~ 2023 the Agency shall by written statement set  
16 forth its reason(s) for the need to carry forward said funding to the  
17 Department of Finance and Administration Office of Budget;

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

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

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

36 The provisions of this section shall be in effect only from July 1, ~~2021~~

1 2022 through June 30, ~~2022~~ 2023.

2

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

10 The provisions of this section shall be in effect only from July 1, ~~2021~~  
11 2022 through June 30, ~~2022~~ 2023.

12

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

24 The provisions of this section shall be in effect only from July 1, ~~2021~~  
25 2022 through June 30, ~~2022~~ 2023.

26

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

35 The provisions of this section shall be in effect only from July 1, ~~2021~~  
36 2022 through June 30, ~~2022~~ 2023.

1  
2 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

9 The provisions of this section shall be in effect only from July 1, ~~2021~~  
10 2022 through June 30, ~~2022~~ 2023.

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

17 The provisions of this section shall be in effect only from July 1, ~~2021~~  
18 2022 through June 30, ~~2022~~ 2023.

19  
20 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
22 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget  
23 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in  
24 addition to funds already being provided for the Arkansas Governor's School,  
25 to fund the appropriation authorized from general revenue for the Gifted and  
26 Talented program as appropriated in the Grants and Aid to Local School  
27 Districts and Special Programs section herein. With this additional funding  
28 either the department shall increase the number of grants for AEGIS summer  
29 enrichment programs, or the duration of the Arkansas Governor's School shall  
30 be extended from four (4) weeks to six (6) weeks.

31 The provisions of this section shall be in effect only from July 1, ~~2021~~  
32 2022 through June 30, ~~2022~~ 2023.

33  
34 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST  
36 FUNDING PROVISION. Of the total amount appropriated for Technology Grants

1 each fiscal year, an amount of not less than three million five thousand  
2 dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each  
3 fiscal year, shall be awarded through a grant or professional services  
4 contract for the EAST Initiative. Not less than one million dollars  
5 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or  
6 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST  
7 Initiatives shall be used for EAST infrastructure and personnel growth for  
8 the establishment of new programs. The remaining funding shall be used for  
9 existing EAST infrastructure, personnel, and operating expenses of the EAST  
10 Initiative. The EAST infrastructure grant or contract for personal services  
11 and operating expenses shall be awarded to an entity that has personnel or  
12 experience, or both, in implementing the EAST Initiative.

13 The provisions of this section shall be in effect only from July 1, ~~2021~~  
14 2022 through June 30, ~~2022~~ 2023.

15

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

1 in Arkansas, Inc., Destination Imagination, the State History Day  
2 Competition, and Arkansas Science Fair Association grants as authorized  
3 herein in order to fulfill the provisions of this section.

4 The provisions of this section shall be in effect only from July 1, ~~2021~~  
5 2022 through June 30, ~~2022~~ 2023.

6  
7 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
9 PROFESSIONAL DEVELOPMENT.

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

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

- 19 (1) Annual expenditure information;
- 20 (2) Statistical information pertaining to users of the  
21 initiative;
- 22 (3) Course offerings;
- 23 (4) Course hours completed; and
- 24 (5) Certificates awarded.

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

- 27 (1) Governor;
- 28 (2) Legislative Council or, if the General Assembly is  
29 in session, the Joint Budget Committee;
- 30 (3) Senate Committee on Education;
- 31 (4) House Committee on Education; and
- 32 (5) Department of Finance and Administration.

33 (c) The provisions of this section shall be in effect only from July 1,  
34 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

35  
36 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NSL  
2 MATCHING GRANT PROGRAM.

3 (a)(1) Of the appropriation and funding for the NSL MATCHING GRANT  
4 PROGRAM Item in the Grants and Aid to Local School Districts and Special  
5 Programs section of this Act, five million three hundred thousand dollars  
6 (\$5,300,000) shall be set aside by the Department of Education and shall be  
7 used for school district expenditures for evidence-based programs to improve  
8 academic achievement of identified national school lunch students.

9 (2) These programs shall be limited to:

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

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

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

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

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

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

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

29 (e) The provisions of this section shall be in effect only from July 1,  
30 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

31

32 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.  
34 ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in the  
35 Grants and Aid to Local School Districts and Special Programs section of this  
36 Act shall be used for the coordination of a statewide reading campaign with

1 community partners, parents, and teachers to establish the importance of  
2 reading in homes, schools, and communities.

3 The provisions of this section shall be in effect only from July 1,  
4 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

5  
6 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR  
8 COMPENSATION REFORM SUB-FUND. Funds shall be kept separate from all other  
9 monies in the Public School Fund and are to be utilized over a four-year  
10 period, beginning July 1, 2019, to assist school districts in ensuring that  
11 all educators in Arkansas public school districts receive a minimum annual  
12 salary of \$36,000 by July 1, 2023. The Educator Compensation Reform Fund  
13 shall not be considered part of a school district's net legal balance or net  
14 legal balance revenues for the purpose of meeting the requirements on  
15 limitation of fund balances pursuant to A.C.A. 6-20-2210. The Arkansas  
16 Department of Education shall promulgate rules to administer this section.

17 The provisions of this section shall be in effect only from July 1,  
18 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

19  
20 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ENHANCED  
22 STUDENT ACHIEVEMENT FUNDING NAME CHANGE. Any appropriation titled "ENHANCED  
23 STUDENT ACHIEVEMENT FUNDING" or abbreviated as "ESA" as named by SB605 of  
24 2019 may also be known as "NATIONAL SCHOOL LUNCH" funding or abbreviated as  
25 "NSL" and shall be used for the same purposes as set out in law.

26 The provisions of this section shall be in effect only from July 1, ~~2021~~  
27 2022 through June 30, ~~2022~~ 2023.

28  
29 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
31 GOVERNOR'S SCHOOL CURRICULUM. Prior to the beginning of the Arkansas  
32 Governor's School Program each year, the Arkansas Department of Education  
33 shall review and approve the proposed curriculum for the program year and  
34 shall maintain oversight of its implementation for consistency and accuracy.

35 The provisions of this section shall be in effect only from July 1,  
36 2022 through June 30, 2023.

1  
2 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE  
3 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
4 ENHANCED STUDENT ACHIEVEMENT FUNDING. The Enhanced Student Achievement  
5 Funding appropriation in the Grants and Aid to Local School Districts and  
6 Special Programs section of this Act is to be disbursed according to the  
7 provisions under Arkansas Code § 6-20-2305(b)(4).

8 (a)(1) In 2020, as a result of the coronavirus 2019 (COVID-19)  
9 pandemic, the United States Department of Agriculture implemented the  
10 Seamless Summer Option, which:

11 (A) Allows all public school students to receive a meal from the  
12 public school in which he or she is enrolled at no charge, regardless of his  
13 or her free or reduced-price lunch status; and

14 (B) Has resulted in a significantly lower number of income  
15 verification forms being completed, which are used to verify the students who  
16 qualify for a free or reduced-price school meal.

17 (2) Under Arkansas Code § 6-20-2305(b)(4), the calculation of the  
18 amount of Enhanced Student Achievement Funding that a public school district  
19 receives is based on the percentage of enrolled students who qualify as  
20 national school lunch students, which is based on income verification forms  
21 submitted on behalf of students.

22 (b) Notwithstanding the provisions established under Arkansas Code §  
23 6-20-2305(b)(4), for Fiscal Year 2023, a public school district shall not  
24 receive less Enhanced Student Achievement Funding than the amount it received  
25 in Fiscal Year 2022. Any public school district entitled to Enhanced Student  
26 Achievement Funding above the amount that was received in Fiscal Year 2022  
27 due to an increased number of identified national school lunch students shall  
28 receive the Enhanced Student Achievement Funding amount as calculated under  
29 Arkansas Code § 6-20-2305(b)(4).

30 (c) The provisions of this section shall be in effect only from July 1,  
31 2022 through June 30, 2023.

32  
33 SECTION 34. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-10-  
34 106(a)(1)(A), concerning the school year start date, is amended to read as  
35 follows:

36 (a)(1)(A) Beginning with the ~~2022-2023~~ 2023-2024 school year, the

1 *first day of the school year for student attendance in public elementary and*  
2 *secondary schools shall not be earlier than the Monday two (2) weeks before*  
3 *Labor Day*

4

5 SECTION 35. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
6 authorized by this act shall be limited to the appropriation for such agency  
7 and funds made available by law for the support of such appropriations; and  
8 the restrictions of the State Procurement Law, the General Accounting and  
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
10 Procedures and Restrictions Act, or their successors, and other fiscal  
11 control laws of this State, where applicable, and regulations promulgated by  
12 the Department of Finance and Administration, as authorized by law, shall be  
13 strictly complied with in disbursement of said funds.

14

15 SECTION 36. LEGISLATIVE INTENT. It is the intent of the General  
16 Assembly that any funds disbursed under the authority of the appropriations  
17 contained in this act shall be in compliance with the stated reasons for  
18 which this act was adopted, as evidenced by the Agency Requests, Executive  
19 Recommendations and Legislative Recommendations contained in the budget  
20 manuals prepared by the Department of Finance and Administration, letters, or  
21 summarized oral testimony in the official minutes of the Arkansas Legislative  
22 Council or Joint Budget Committee which relate to its passage and adoption.

23

24 SECTION 37. EFFECTIVE DATE. This act is effective on and after July 1,  
25 2022.

26

27 */s/Joint Budget Committee*

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