

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1170

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, 2024; 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 2023-2024 FISCAL
19 YEAR.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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, 2024,
31 the following:
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ITEM	FISCAL YEAR
NO.	2023-2024
(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$34,500,000
(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)	DEPT OF CORRECTION	8,702,425
15	(16)	DECLINING ENROLLMENT	13,963,389
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	1,560,381
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 PRG	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>\$3,233,341,080</u>

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SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.
 There is hereby established for the Department of Education - Division of
 Elementary and Secondary Education - Arkansas Public School Computer Network
 for the 2023-2024 fiscal year, the following maximum number of regular
 employees.

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2023-2024
(1)	D105C ADE STATE NETWORK ENGINEER	1	GRADE IT09
(2)	D022N IT SENIOR PROJECT MANAGER	1	GRADE IT09
(3)	D104C ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE IT08
(4)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(5)	D042C DATA WAREHOUSE SPECIALIST	1	GRADE IT06
(6)	D037C ADE APSCN APPLICATIONS MANAGER	3	GRADE IT05
(7)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
(8)	D055C ADE APSCN FIELD ANALYST	25	GRADE IT04
(9)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
(10)	N047N ADE APSCN DIRECTOR	1	GRADE GS15
(11)	G012C ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
(12)	G050C ADE APSCN DIVISION MANAGER	3	GRADE GS10
(13)	C020C STUDENT APPLICATIONS SPECIALIST	4	GRADE GS06
(14)	D077C HELP DESK SPECIALIST	2	GRADE GS05
(15)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
	MAX. NO. OF EMPLOYEES	49	

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, 2024, the following:

ITEM	FISCAL YEAR
NO.	2023-2024
(01) REGULAR SALARIES	\$2,856,694
(02) PERSONAL SERVICES MATCHING	991,467
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	25,245,839
(B) CONF. & TRAVEL	7,250

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	200,000
3	(E) DATA PROC.	0
4	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$29,601,250</u>

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 7 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 8 is hereby established for the Department of Education - Division of
 9 Elementary and Secondary Education - Office of Education Renewal Zones for
 10 the 2023-2024 fiscal year, the following maximum number of regular employees.

11			Maximum Annual
12		Maximum	Salary Rate
13	Item Class	No. of	Fiscal Year
14	No. Code Title	Employees	2023-2024
15	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3	GRADE GS08
16	(2) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
17	MAX. NO. OF EMPLOYEES	4	

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 20 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 21 hereby appropriated, to the Department of Education, to be payable from the
 22 Division of Elementary and Secondary Education Public School Fund Account,
 23 for personal services, operating expenses, and grants by the Department of
 24 Education - Division of Elementary and Secondary Education - Office of
 25 Education Renewal Zones for the fiscal year ending June 30, 2024, the
 26 following:

27		FISCAL YEAR
28	ITEM	2023-2024
29	NO.	
30	(01) REGULAR SALARIES	\$168,180
31	(02) PERSONAL SERVICES MATCHING	66,099
32	(03) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	25,000
34	(B) CONF. & TRAVEL	3,000
35	(C) PROF. FEES	0
36	(D) CAP. OUTLAY	0

1	(E) DATA PROC.	0
2	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,101,150</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$1,363,429</u>

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5 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.
7 ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for
8 R.I.S.E. Arkansas remaining on June 30, ~~2023~~ 2024, in the Division of
9 Elementary and Secondary Education Public School Fund Account shall be
10 designated and retained for the R.I.S.E. Arkansas. Any carry forward of
11 unexpected balance of funding as authorized herein, may be carried forward
12 under the following conditions:

13 (1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement
14 set forth its reason(s) for the need to carry forward said funding to the
15 Department of Finance and Administration Office of Budget;

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

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

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

35 The provisions of this section shall be in effect only from July 1, ~~2022~~
36 2023 through June 30, ~~2023~~ 2024.

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2 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
4 FUND ALLOCATION. The appropriation for the Isolated Funding line item in the
5 Grants and Aid to Local School Districts and Special Programs section of this
6 Act may be fully funded. Any funding and appropriation for Isolated Funding
7 that is not utilized shall be transferred to the appropriation for Special
8 Needs Isolated Funding in the Grants and Aid to Local School Districts and
9 Special Programs section of this Act and shall be used there for fully
10 funding each subsection (c) through (f) of Arkansas Code § 6-20-604 on a pro
11 rata basis until the available funds are exhausted. Pro rata basis is defined
12 as providing each district qualifying for additional funding under
13 subsections (c) through (f) a proportionate share based on how each
14 district's additional funding amount bears to the total additional funding
15 amounts for all qualifying districts. If any funding and appropriation
16 remains after funding each subsection (c) through (f) of Arkansas Code § 6-
17 20-604 the remaining balance shall be used to fund the provisions of Arkansas
18 Code § 6-20-604 (h) on an equal basis until the available funds are
19 exhausted.

20 The provisions of this section shall be in effect only from July 1, ~~2022~~
21 2023 through June 30, ~~2023~~ 2024.

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23 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
25 GRANTS TO SCHOOL DISTRICTS. For the purposes of distributing the Grants To
26 School Districts appropriation in the Grants and Aid to Local School
27 Districts and Special Programs section of this Act, "school district" means a
28 school district which contracts with a school district in an adjoining state
29 for the education of some of the pupils within the Arkansas school district
30 because the portion of the school district wherein such pupils live is
31 completely separated from the remainder of the school district by a reservoir
32 covering at least 12,000 acres at normal water level, and where to attend
33 school in their own district, the pupils of said portion would be required to
34 travel or to be transported a distance (measured by the nearest highway or
35 road route) of more than 35 miles round trip and pass through another school
36 district or districts. The Department of Education shall distribute the

1 monies appropriated for Grants to School Districts in the Grants and Aid to
2 Local School Districts and Special Programs section of this Act to such
3 school districts as reimbursement for expenses incurred in educating the
4 pupils residing in the separated portion of the school district. The payments
5 are to be limited to the amount of available appropriation. Such school
6 districts shall file a request for reimbursement with the Department of
7 Education and provide the Department of Education with such documentation as
8 is deemed necessary.

9 The provisions of this section shall be in effect only from July 1, ~~2022~~
10 2023 through June 30, ~~2023~~ 2024.

11
12 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
14 SPECIAL EDUCATION SERVICES. The funds appropriated in the line item "Special
15 Education Services" in the Grants and Aid to Local School Districts and
16 Special Programs section of this Act shall be used to provide extended year
17 summer programs for handicapped students in need of such services, to provide
18 special education services to foster children who are wards of the State, and
19 to provide funds for the payment of salaries of special education
20 supervisors. The Department of Education shall distribute such funds in the
21 manner necessary to carry out the intent of this Section.

22 The provisions of this section shall be in effect only from July 1, ~~2022~~
23 2023 through June 30, ~~2023~~ 2024.

24
25 SECTION 10. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 6,
26 Chapter 13, Subchapter 14, is amended to add an additional section to codify
27 special language in appropriation acts to read as follows:
28 6-13-1418. Consolidation incentive.

29 An appropriation for consolidation incentive shall be allocated to a
30 resulting district or a receiving district, respectively, according to rules
31 promulgated by the State Board of Education.

32
33 SECTION 11. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-20-
34 107, concerning educational costs related to the placement of juveniles in
35 residential or inpatient facilities, is amended to add an additional
36 subsection to codify special language in appropriation acts to read as

1 follows:

2 (g) The funds appropriated to the division for residential or
3 inpatient facilities shall be allocated in accordance with rules promulgated
4 by the State Board of Education.

5

6 SECTION 12. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-20-
7 104, concerning reimbursement for educational services provided in juvenile
8 detention facilities, is amended to add an additional subsection to read as
9 follows:

10 (d) The funds appropriated to the division for juvenile detention
11 facilities shall be allocated in accordance with rules promulgated by the
12 State Board of Education.

13

14 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

16 TRANSFER AUTHORITY. The Commissioner of the Department of Education, with the
17 approval of the Chief Fiscal Officer of the State and after approval by the
18 Arkansas Legislative Council or Joint Budget Committee, is hereby authorized
19 to request necessary appropriation transfers and any other budget related
20 adjustments necessary within the Department of Education. Provided, however,
21 that the Department of Education shall be limited to submitting no more than
22 two transfer requests during any fiscal year.

23 Determining the maximum number of employees and the maximum amount of
24 appropriation and general revenue funding for a state agency each fiscal year
25 is the prerogative of the General Assembly. This is usually accomplished by
26 delineating such maximums in the appropriation act(s) for a state agency and
27 the general revenue allocations authorized for each fund and fund account by
28 amendment to the Revenue Stabilization law. Further, the General Assembly
29 has determined that the Department of Education may operate more efficiently
30 if some flexibility is provided to the Commissioner of the Department of
31 Education authorizing broad powers under the Transfer Authority provision
32 herein. Therefore, it is both necessary and appropriate that the General
33 Assembly maintain oversight by requiring prior approval of the Legislative
34 Council or Joint Budget Committee as provided by this section. The
35 requirement of approval by the Legislative Council or Joint Budget Committee
36 is not a severable part of this section. If the requirement of approval by

1 the Legislative Council or Joint Budget Committee is ruled unconstitutional
2 by a court jurisdiction, this entire section is void.

3 The provisions of this section shall be in effect only from July 1, ~~2022~~
4 2023 through June 30, ~~2023~~ 2024.

5
6 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 AETN DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and
9 funds authorized herein to the Department of Education for the Quiz Bowl each
10 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each
11 fiscal year may be made available to the Department of Education -
12 Educational Television Division for its documented costs associated with the
13 Quiz Bowl.

14 The provisions of this section shall be in effect only from July 1, ~~2022~~
15 2023 through June 30, ~~2023~~ 2024.

16
17 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

19 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
20 Districts shall pay the teacher retirement employer contribution rate for any
21 eligible employee in accordance with rules and regulations established by the
22 Teacher Retirement Board of Directors. The appropriation contained herein for
23 Teacher Retirement Matching each fiscal year shall be used to provide the
24 employer matching for employees of the Cooperative Education Services Areas,
25 Vocational Centers, Arkansas Easter Seals and the school operated by the
26 Department of Correction.

27 The provisions of this section shall be in effect only from July 1, ~~2022~~
28 2023 through June 30, ~~2023~~ 2024.

29
30 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

32 BETTER CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is
33 hereby authorized to expend a maximum of two percent (2%) of available funds
34 for administration of the Better Chance Program. Up to 1.8% of available
35 funds shall be used to administer the program and to monitor program grantees
36 to ensure compliance with programmatic standards. Prior to the utilization of

1 the remaining 0.2% of available funds, the Department of Education shall seek
2 prior review and approval of the Arkansas Legislative Council or Joint Budget
3 Committee by providing a written request to include the following: a) the
4 Department's reason(s) for the use of the funds and b) the amount of funds
5 that will be expended. The Department may contract with the Division of
6 Elementary and Secondary Education to administer the program.

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

20 The provisions of this section shall be in effect only from July 1, ~~2022~~
21 2023 through June 30, ~~2023~~ 2024.

22
23 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

25 AVERAGE TEACHER SALARY. The Arkansas Department of Education is requested to
26 calculate Average Teacher Salary in the Department's Annual Statistical
27 Report to not include extra duty funds. Specifically, the Department is
28 requested to calculate the Average Teacher Salary amount using the National
29 Education Association definitions for Average Salary for Classroom Teachers.
30 The Arkansas Department of Education shall submit this data annually to the
31 National Education Association in accordance with that organization's
32 deadlines for submission for their report "Rankings and Estimates" which
33 includes state-by-state teacher salary comparisons.

34 The provisions of this section shall be in effect only from July 1, ~~2022~~
35 2023 through June 30, ~~2023~~ 2024.

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1 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

3 CARRY FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies
4 allocated for the Arkansas Better Chance for School Success Program remaining
5 on June 30, ~~2023~~ 2024, in the Division of Elementary and Secondary Education
6 Public School Fund Account shall be designated and retained for the Arkansas
7 Better Chance for School Success Program.

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

10 (1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement set
11 forth its reason(s) for the need to carry forward said funding to the
12 Department of Finance and Administration Office of Budget;

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

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

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

31 The provisions of this section shall be in effect only from July 1, ~~2022~~
32 2023 through June 30, ~~2023~~ 2024.

33
34 SECTION 19. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 21-5-
35 415, concerning nonpayment of premiums and the failure to file reports by a
36 state agency or school district, is amended to add an additional subsection

1 to codify special language in appropriation acts to read as follows:

2 (d) The division may use up to eleven dollars and twenty cents
3 (\$11.20) from each contribution made under § 6-17-1117(a) to offset the cost
4 of health insurance premiums to eligible members electing to participate in
5 the public school employees' health insurance program as a retiree.

6
7 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
10 shall transfer on his books and those of the State Treasurer and the State
11 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
12 fiscal year from the Division of Elementary and Secondary Education Public
13 School Fund Account to the University of Arkansas at Little Rock Fund,
14 specifically to provide funding for the Arkansas/STRIVE Program. The total
15 amount of funds transferred each fiscal year pursuant to this section shall
16 not be subject to any indirect costs by the University of Arkansas at Little
17 Rock.

18 The provisions of this section shall be in effect only from July 1, ~~2022~~
19 2023 through June 30, ~~2023~~ 2024.

20
21 SECTION 21. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-17-
22 1117(b)(1), concerning the amount paid by the Division of Elementary and
23 Secondary Education to the Employee Benefits Division for purposes of the
24 public school employees' health insurance program, is amended to codify
25 special language in appropriation acts to read as follows:

26 (b)(1)(A) The Division of Elementary and Secondary Education shall pay
27 the Employee Benefits Division the amount established by the House Committee
28 on Education and the Senate Committee on Education through the biennial
29 adequacy review process required by § 10-3-2102, factored according to the
30 medical component of the Consumer Price Index for All Urban Consumers, for
31 each eligible employee electing to participate in the public school
32 employees' health insurance program administered by the State Board of
33 Finance.

34 (B) In addition to the amount paid by the Division of
35 Elementary and Secondary Education for eligible employees electing to
36 participate in the public school employees' health insurance program, the

1 amount paid by the Division of Elementary and Secondary Education to the
2 Employee Benefits Division under this section shall include amounts
3 appropriated to be used to provide contributions for insurance premiums for
4 employees of the following who are participating in the State and Public
5 School Life and Health Insurance Program:

6 (i) An education service cooperative;

7 (ii) A vocational center; and

8 (iii) The Arkansas Correctional School District.

9
10 SECTION 22. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-48-
11 104(a)(1), concerning the promulgation of rules regarding the funding of
12 alternative learning environment programs by the Division of Elementary and
13 Secondary Education, is amended to add an additional subdivision to codify
14 special language in appropriation acts to read as follows:

15 (D) The division may provide funding in a proportionate
16 manner and upon special request to the division by a school district for an
17 alternative learning environment program in excess of the limit of six (6)
18 hours per day for alternative learning environment programs that operate for
19 more than twelve (12) hours per day.

20
21 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

23 ARKANSAS GOVERNOR’S SCHOOL FUNDING. The Department of Education shall
24 allocate, budget and commit for expenditure two hundred fifty thousand
25 dollars (\$250,000), in addition to funds already being provided for the
26 Arkansas Governor’s School, to fund the appropriation authorized from general
27 revenue for the Gifted and Talented program as appropriated in the Grants and
28 Aid to Local School Districts and Special Programs section herein. With this
29 additional funding either the department shall increase the number of grants
30 for AEGIS summer enrichment programs, or the duration of the Arkansas
31 Governor’s School shall be extended from four (4) weeks to six (6) weeks.

32 The provisions of this section shall be in effect only from July 1, ~~2022~~
33 2023 through June 30, ~~2023~~ 2024.

34
35 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

14 The provisions of this section shall be in effect only from July 1, ~~2022~~
15 2023 through June 30, ~~2023~~ 2024.

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

1 committed for expenditure the monies allocated for the Quiz Bowl, Creativity
2 in Arkansas, Inc., Destination Imagination, the State History Day
3 Competition, and Arkansas Science Fair Association grants as authorized
4 herein in order to fulfill the provisions of this section.

5 The provisions of this section shall be in effect only from July 1, ~~2022~~
6 2023 through June 30, ~~2023~~ 2024.

7
8 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
10 PROFESSIONAL DEVELOPMENT.

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

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

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

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

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

34 (c) The provisions of this section shall be in effect only from July 1,
35 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

36

1 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 ~~NSL~~ ESA MATCHING GRANT PROGRAM.

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

10 (2) These programs shall be limited to:

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

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

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

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

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

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

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

30 (e) The provisions of this section shall be in effect only from July 1,
31 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

32
33 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

35 R.I.S.E. ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in
36 the Grants and Aid to Local School Districts and Special Programs section of

1 this Act shall be used for the coordination of a statewide reading campaign
2 with community partners, parents, and teachers to establish the importance of
3 reading in homes, schools, and communities.

4 The provisions of this section shall be in effect only from July 1,
5 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

6
7 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 ENHANCED STUDENT ACHIEVEMENT FUNDING NAME CHANGE. Any appropriation titled
10 "ENHANCED STUDENT ACHIEVEMENT FUNDING" or abbreviated as "ESA" as named by
11 SB605 of 2019 may also be known as "NATIONAL SCHOOL LUNCH" funding or
12 abbreviated as "NSL" and shall be used for the same purposes as set out in
13 law.

14 The provisions of this section shall be in effect only from July 1, ~~2022~~
15 2023 through June 30, ~~2023~~ 2024.

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17 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

19 ARKANSAS GOVERNOR'S SCHOOL CURRICULUM. Prior to the beginning of the
20 Arkansas Governor's School Program each year, the Arkansas Department of
21 Education shall review and approve the proposed curriculum for the program
22 year and shall maintain oversight of its implementation for consistency and
23 accuracy.

24 The provisions of this section shall be in effect only from July 1,
25 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

26
27 SECTION 31. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
28 authorized by this act shall be limited to the appropriation for such agency
29 and funds made available by law for the support of such appropriations; and
30 the restrictions of the State Procurement Law, the General Accounting and
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
32 Procedures and Restrictions Act, or their successors, and other fiscal
33 control laws of this State, where applicable, and regulations promulgated by
34 the Department of Finance and Administration, as authorized by law, shall be
35 strictly complied with in disbursement of said funds.

36

1 SECTION 32. LEGISLATIVE INTENT. It is the intent of the General
2 Assembly that any funds disbursed under the authority of the appropriations
3 contained in this act shall be in compliance with the stated reasons for
4 which this act was adopted, as evidenced by the Agency Requests, Executive
5 Recommendations and Legislative Recommendations contained in the budget
6 manuals prepared by the Department of Finance and Administration, letters, or
7 summarized oral testimony in the official minutes of the Arkansas Legislative
8 Council or Joint Budget Committee which relate to its passage and adoption.

9
10 SECTION 33. EMERGENCY CLAUSE. It is found and determined by the
11 General Assembly, that the Constitution of the State of Arkansas prohibits
12 the appropriation of funds for more than a one (1) year period; that the
13 effectiveness of this Act on July 1, 2023 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the legislative session, the delay in the
16 effective date of this Act beyond July 1, 2023 could work irreparable harm
17 upon the proper administration and provision of essential governmental
18 programs. Therefore, an emergency is hereby declared to exist and this Act
19 being necessary for the immediate preservation of the public peace, health
20 and safety shall be in full force and effect from and after July 1, 2023.

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