

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

A Bill

HOUSE BILL 1688

5 By: Representative Evans
6 By: Senator J. English
7

For An Act To Be Entitled

9 AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS
10 CODE CONCERNING PUBLIC SCHOOL FUNDING AMOUNTS; TO
11 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND VARIOUS PROVISIONS OF THE
16 ARKANSAS CODE CONCERNING PUBLIC SCHOOL
17 FUNDING AMOUNTS; AND TO DECLARE AN
18 EMERGENCY.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 6-17-1117(a) and (b), concerning the health
24 insurance contribution rate paid by a school district and the amount paid by
25 the Division of Elementary and Secondary Education to the Employee Benefits
26 Division, are amended to read as follows:

27 (a)(1) Beginning January 1, 2023, a school district shall pay each
28 month for each eligible employee electing to participate in the public school
29 employees' health insurance program the health insurance contribution rate
30 established by the enacted by the General Assembly.

31 (2) The House Committee on Education and the Senate Committee on
32 Education through the biennial adequacy review process required by § 10-3-
33 2102 ~~each month for each eligible employee electing to participate in the~~
34 ~~public school employees' health insurance program~~ shall provide a health
35 contribution rate recommendation to the General Assembly.

36 (b)(1)(A) The Division of Elementary and Secondary Education shall



1 pay the Employee Benefits Division the amount ~~established~~ enacted by the
2 General Assembly.

3 (B) The amount provided for under subdivision (b)(1)(A) of
4 this section shall take into consideration the recommendation of the House
5 Committee on Education and the Senate Committee on Education through the
6 biennial adequacy review process required by § 10-3-2102, which may be
7 factored according to the medical component of the Consumer Price Index for
8 All Urban Consumers, for each eligible employee electing to participate in
9 the public school employees' health insurance program administered by the
10 State Board of Finance.

11 (2) The funds provided to the Employee Benefits Division under
12 this subsection shall be administered by the board for the benefit of the
13 employee participants of the public school employees' health insurance
14 program.

15 (3)(A) In the event that appropriation or funding is not
16 provided, the Division of Elementary and Secondary Education shall not be
17 responsible for the increased payments for the public school employees'
18 health insurance program as established by this section.

19 (B) If funding and appropriation are provided but are
20 inadequate for the total number of employees electing to participate in the
21 public school employees' health insurance program, the Division of Elementary
22 and Secondary Education shall pay a proportional share on behalf of each
23 participant.

24 (C) If funding and appropriation are provided and exceed
25 the amount needed to make the minimum contribution under subdivision (b)(1)
26 of this section, the Division of Elementary and Secondary Education shall pay
27 a proportional share of the excess on behalf of each participant.

28
29 SECTION 2. Arkansas Code § 6-20-2305(a)(2), concerning per-student
30 foundation funding amounts, is amended to read as follows:

31 (2)(A) For the ~~2021-2022~~ 2023-2024 school year, the foundation
32 funding amount is equal to ~~seven thousand one hundred eighty two dollars~~
33 ~~(\$7,182)~~ seven thousand six hundred eighteen dollars (\$7,618) multiplied by
34 the school district's average daily membership for the previous school year.

35 (B) For the ~~2022-2023~~ 2024-2025 school year and each
36 school year thereafter, the foundation funding amount is equal to ~~seven~~

1 ~~thousand four hundred thirteen dollars (\$7,413)~~ seven thousand seven hundred
 2 seventy-one dollars (\$7,771) multiplied by the school district's average
 3 daily membership for the previous school year.

4
 5 SECTION 3. Arkansas Code § 6-20-2305(b)(2)(A), concerning per-student
 6 categorical funding amounts for alternative learning environments, is amended
 7 to read as follows:

8 (2)(A)(i) For the ~~2021-2022~~ 2023-2024 school year, alternative
 9 learning environment funding shall be ~~four thousand seven hundred ninety-four~~
 10 ~~dollars (\$4,794)~~ four thousand nine hundred eighty-seven (\$4,987) multiplied
 11 by the number of identified alternative learning environment students
 12 enrolled during the previous school year.

13 (ii) For the ~~2022-2023~~ 2024-2025 school year,
 14 alternative learning environment funding shall be ~~four thousand eight hundred~~
 15 ~~ninety dollars (\$4,890)~~ five thousand eighty-six dollars (\$5,086) multiplied
 16 by the number of identified alternative learning environment students
 17 enrolled during the previous school year.

18 (iii) Funding for students in alternative learning
 19 environments shall be distributed based on rules promulgated by the State
 20 Board of Education.

21
 22 SECTION 4. Arkansas Code § 6-20-2305(b)(3), concerning per-student
 23 state categorical funding amounts for English-language learners, is amended
 24 to read as follows:

25 (3)(A) For the ~~2021-2022~~ 2023-2024 school year, funding for
 26 students who are identified as English-language learners shall be ~~three~~
 27 ~~hundred fifty-nine dollars (\$359)~~ three hundred sixty-six (\$366) for each
 28 identified English-language learner.

29 (B) Funding for English-language learners shall be
 30 distributed to public school districts for students who have been identified
 31 as not proficient in the English language based upon a state-approved English
 32 proficiency assessment instrument.

33 (C) Funds allocated for English-language learners to
 34 public school districts under this subchapter shall be expended only for
 35 eligible activities as identified in current rules promulgated by the State
 36 Board of Education and are a supplement to funding for national school lunch

1 students provided in subdivision (b)(4) of this section.

2 (D) For the ~~2022-2023~~ 2024-2025 school year and each
3 school year thereafter, funding for students who are identified as English-
4 language learners shall be three hundred sixty-six dollars (\$366) for each
5 identified English-language learner.

6
7 SECTION 5. Arkansas Code § 6-20-2305(b)(4)(A), concerning per-student
8 Enhanced Student Achievement Funding, is amended to read as follows:

9 (4)(A) Enhanced Student Achievement Funding for each identified
10 national school lunch student shall be as follows:

11 (i) For a public school district in which ninety
12 percent (90%) or more of the previous school year's enrolled students are
13 national school lunch students, the amount of per-student Enhanced Student
14 Achievement Funding for the ~~2021-2022~~ 2023-2024 school year is ~~one thousand~~
15 ~~five hundred ninety-four dollars (\$1,594)~~ one thousand six hundred thirteen
16 (\$1,613) and for the ~~2022-2023~~ 2024-2025 school year is one thousand six
17 hundred thirteen dollars (\$1,613);

18 (ii) For a public school district in which at least
19 seventy percent (70%) but less than ninety percent (90%) of the previous
20 school year's enrolled students are national school lunch students, the
21 amount of per-student Enhanced Student Achievement Funding for the ~~2021-2022~~
22 2023-2024 school year is ~~one thousand sixty-three dollars (\$1,063)~~ one
23 thousand seventy-six dollars (\$1,076) and for the ~~2022-2023~~ 2024-2025 school
24 year is one thousand seventy-six dollars (\$1,076); and

25 (iii) For a public school district in which less
26 than seventy percent (70%) of the previous school year's enrolled students
27 are national school lunch students, the amount of per-student Enhanced
28 Student Achievement Funding for the ~~2021-2022~~ 2023-2024 school year is ~~five~~
29 ~~hundred thirty-two dollars (\$532)~~ five hundred thirty-eight dollars (\$538)
30 and for the ~~2022-2023~~ 2024-2025 school year is five hundred thirty-eight
31 dollars (\$538).

32
33 SECTION 6. Arkansas Code § 6-20-2305(b)(5), concerning per-student
34 state categorical funding amounts for professional development, is amended to
35 read as follows:

36 (5)(A) For each school year, professional development funding

1 shall be equal to an amount of up to ~~forty dollars and eighty cents (\$40.80)~~
 2 forty-one dollars (\$41.00) multiplied by the school district's previous
 3 school year average daily membership.

4 (B) Funding for professional development for teachers in
 5 Arkansas public schools required under the Teacher Excellence and Support
 6 System, § 6-17-2801 et seq., other law or rule, or by the school district
 7 shall be used for professional development activities and materials that:

8 (i) Improve the knowledge, skills, and effectiveness
 9 of teachers;

10 (ii) Address the knowledge and skills of
 11 administrators and paraprofessionals concerning effective instructional
 12 strategies, methods, and skills;

13 (iii) Lead to improved student academic achievement;

14 and

15 (iv) Provide training for school bus drivers as
 16 outlined in rules promulgated by the Commission for Arkansas Public School
 17 Academic Facilities and Transportation.

18 (C)(i) For the ~~2021-2022 school year, additional funding~~
 19 ~~up to fourteen million five hundred thousand dollars (\$14,500,000) and for~~
 20 ~~the 2022-2023~~ 2023-2024 school year and each school year thereafter,
 21 additional funding up to sixteen million five hundred thousand dollars
 22 (\$16,500,000), provided for professional development above the amount in
 23 subdivision (b)(5)(A) of this section shall be used by the Division of
 24 Elementary and Secondary Education for the development and administration of
 25 professional learning communities for the benefit of public school districts.

26 (ii)(a) The Division of Elementary and Secondary
 27 Education shall promulgate rules to administer the additional professional
 28 development funding under subdivision (b)(5)(C)(i) of this section.

29 (b) The Division of Elementary and Secondary
 30 Education may partner with or choose a person, firm, corporation, or
 31 education service cooperative to provide the knowledge, skills, experience,
 32 and expertise for the development of a research-based process for the
 33 implementation of professional learning communities.

34
 35 SECTION 7. Arkansas Code § 6-20-2305(b)(6)(A), concerning per-student
 36 state categorical funding amounts for teacher salary equalization funding, is

1 amended to read as follows:

2 (6)(A)(i) Beginning with the 2021-2022 school year, for school
3 districts identified by the Division of Elementary and Secondary Education as
4 having an average annual teacher salary below the statewide target average
5 annual salary, teacher salary equalization funding shall be equal to one
6 hundred eighty-five dollars (\$185) multiplied by the average daily membership
7 of the school district for the previous school year.

8 (ii) For the ~~2021-2022~~ 2023-2024 and ~~2022-2023~~ 2024-
9 2025 school years, the statewide target average annual salary shall be fifty-
10 one thousand eight hundred twenty-two dollars (\$51,822).

11 (iii) The House Committee on Education and the
12 Senate Committee on Education shall set jointly the statewide target average
13 annual salary for the ~~2023-2024~~ 2025-2026 and ~~2024-2025~~ 2026-2027 school
14 years, and each biennium thereafter, as part of the adequacy review process
15 required under § 10-3-2102.

16

17 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the
18 General Assembly of the State of Arkansas that funding for public schools is
19 the obligation of the state; that ensuring that adequate funding is provided
20 is the duty of the General Assembly; and that this act is immediately
21 necessary to ensure that funding is provided for the 2023-2024 and 2024-2025
22 school years so that school districts can budget accordingly. Therefore, an
23 emergency is declared to exist, and this act being immediately necessary for
24 the preservation of the public peace, health, and safety shall become
25 effective on:

26 (1) The date of its approval by the Governor;

27 (2) If the bill is neither approved nor vetoed by the Governor,
28 the expiration of the period of time during which the Governor may veto the
29 bill; or

30 (3) If the bill is vetoed by the Governor and the veto is
31 overridden, the date the last house overrides the veto.

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