

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

1 OState of Arkansas As Engrossed: S2/14/18 S2/20/18 S2/22/18

2 91st General Assembly

A Bill

3 Fiscal Session, 2018

SENATE BILL 33

4

5 By: Joint Budget Committee

6

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For An Act To Be Entitled

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AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO

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LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE

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DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING

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JUNE 30, 2019; AND FOR OTHER PURPOSES.

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Subtitle

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AN ACT FOR THE DEPARTMENT OF EDUCATION -

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GRANTS AND AID TO LOCAL SCHOOL DISTRICTS

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AND SPECIAL PROGRAMS APPROPRIATION FOR

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THE 2018-2019 FISCAL YEAR.

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

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SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND

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SPECIAL PROGRAMS. There is hereby appropriated, to the Department of

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Education, to be payable from the Department of Education Public School Fund

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Account, for grants and aid to local school districts and special programs of

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the Department of Education for the fiscal year ending June 30, 2019, the

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following:

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30 ITEM

FISCAL YEAR

31 NO.

2018-2019

32

(01) 98% URT ACTUAL COLLECTION ADJUSTMENT

\$34,500,000

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(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE

15,000,000

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(03) ADVANCED PLACEMENT INCENTIVE

825,000

35

(04) ALTERNATIVE LEARNING

26,594,317

36

(05) ARKANSAS EASTER SEALS

193,113



1	(06)	ASSESSMENT/END OF LEVEL TESTING	22,250,189
2	(07)	AT RISK	1,688,530
3	(08)	BETTER CHANCE PROGRAM	114,000,000
4	(09)	BONDED DEBT ASSISTANCE	28,455,384
5	(10)	COMPUTER SCIENCE INITIATIVE	2,500,000
6	(11)	CONSOLIDATION INCENTIVE	5,981,400
7	(12)	CONTENT STANDARDS	161,000
8	(13)	CONTENTS STANDARDS CURRICULUM FRAMEWORKS	50,000
9	(14)	COOP EDUCATION TECH CENTERS	1,200,000
10	(15)	COORDINATED SCHOOL HEALTH	2,000,000
11	(16)	COURT ORDERED DESEGREGATION	0
12	(17)	CRIMINAL BACKGROUND CHECKS	25,000
13	(18)	DECLINING ENROLLMENT	13,963,389
14	(19)	DEPARTMENT OF CORRECTION	6,734,451
15	(20)	DISTANCE LEARNING	4,760,000
16	(21)	DISTANCE LEARNING OPERATIONS	7,575,000
17	(22)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
18	(23)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
19	(24)	ECONOMIC EDUCATION	400,000
20	(25)	EDUCATION SERVICE COOPERATIVES	6,129,270
21	(26)	ENGLISH LANGUAGE LEARNERS	16,353,943
22	(27)	ENHANCED TRANSPORTATION FUNDING	3,000,000
23	(28)	GENERAL FACILITIES FUNDING	8,100,000
24	(29)	GIFTED & TALENTED	1,485,381
25	(30)	GRANTS TO SCHOOL DISTRICTS	67,856
26	(31)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
27	(32)	INTERVENTION BLOCK GRANTS	302,000
28	(33)	ISOLATED FUNDING	7,896,000
29	(34)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
30	(35)	MASTER PRINCIPAL BONUS	208,000
31	(36)	NATIONAL BOARD OF PROF TEACHING STANDARDS	18,705,000
32	(37)	NATIONAL SCHOOL LUNCH	232,465,557
33	(38)	NON-TRADITIONAL LICENSURE	50,000
34	(39)	NSL MATCHING GRANT PROGRAM	4,300,000
35	(40)	OE CHARTER FAC FUNDING AID PRG	5,000,000
36	(41)	POSITIVE YOUTH DEVELOPMENT GRANTS	5,000,000

1	(42)	PROFESSIONAL DEVELOPMENT FUNDING	25,143,702
2	(43)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
3	(44)	R.I.S.E. ARKANSAS	1,100,000
4	(45)	RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
5	(46)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
6	(47)	SCHOOL FOOD SERVICES	1,650,000
7	(48)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
8	(49)	SCHOOL FUNDING CONTINGENCY	25,000,000
9	(50)	SCHOOL RECOGNITION	7,000,000
10	(51)	SCHOOL WORKER DEFENSE	390,000
11	(52)	SERIOUS OFFENDER	1,716,859
12	(53)	SMART START/SMART STEP	10,666,303
13	(54)	SPECIAL EDUCATION SERVICES	2,802,527
14	(55)	SPECIAL EDUCATION-CATASTROPHIC	13,020,000
15	(56)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
16	(57)	STATE FOUNDATION FUNDING	2,133,039,396
17	(58)	STUDENT GROWTH	37,690,144
18	(59)	SUPPLEMENTAL MILLAGE	10,000,000
19	(60)	SURPLUS COMMODITIES	1,125,065
20	(61)	TEACHER LICENSING/MENTORING	6,065,758
21	(62)	TEACHER OF THE YEAR	100,000
22	(63)	TEACHER RECRUITMENT	2,100,000
23	(64)	TEACHER RETIREMENT MATCHING	10,529,852
24	(65)	TECHNOLOGY GRANTS	3,602,678
25	(66)	TECHNOLOGY IMPROVEMENTS	500,000
26	(67)	WORKER'S COMPENSATION	450,000
27	(68)	YOUTH SHELTERS	<u>165,000</u>
28		TOTAL AMOUNT APPROPRIATED	<u>\$2,987,044,821</u>

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

31 There is hereby established for the Department of Education - Arkansas Public
 32 School Computer Network for the 2018-2019 fiscal year, the following maximum
 33 number of regular employees.

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	Maximum Annual
Maximum	Salary Rate

Item	Class	No. of	Fiscal Year
No.	Code Title	Employees	2018-2019
(1)	N047N ADE APSCN DIRECTOR	1	GRADE GS15
(2)	D105C ADE STATE NETWORK ENGINEER	1	GRADE IT09
(3)	D104C ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE IT08
(4)	D012C DATABASE SPECIALIST	1	GRADE IT08
(5)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(6)	D006C SOFTWARE ENGINEER LEAD	1	GRADE IT08
(7)	D042C DATA WAREHOUSE SPECIALIST	1	GRADE IT06
(8)	D038C SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE IT06
(9)	D037C ADE APSCN APPLICATIONS MANAGER	3	GRADE IT05
(10)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
(11)	D055C ADE APSCN FIELD ANALYST	25	GRADE IT04
(12)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
(13)	G012C ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
(14)	G050C ADE APSCN DIVISION MANAGER	3	GRADE GS10
(15)	A089C ACCOUNTANT I	1	GRADE GS07
(16)	C020C STUDENT APPLICATIONS SPECIALIST	4	GRADE GS06
(17)	D077C HELP DESK SPECIALIST	2	GRADE GS05
(18)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
	MAX. NO. OF EMPLOYEES	52	

SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for personal services and operating expenses of the Department of Education - Arkansas Public School Computer Network for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
NO.	2018-2019
(01) REGULAR SALARIES	\$2,446,175
(02) PERSONAL SERVICES MATCHING	794,465
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	19,245,839
(B) CONF. & TRAVEL	7,250

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	0
4	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$22,793,729</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 - Office of Education
 9 Renewal Zones for the 2018-2019 fiscal year, the following maximum number of
 10 regular employees.

11		Maximum Annual
12		Salary Rate
13	Item Class	Fiscal Year
14	No. Code Title	2018-2019
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 Department of Education Public School Fund Account, for personal services,
 23 operating expenses and grants by the Department of Education - Office of
 24 Education Renewal Zones for the fiscal year ending June 30, 2019, the
 25 following:

26	ITEM	FISCAL YEAR
27	NO.	2018-2019
28	(01) REGULAR SALARIES	\$154,077
29	(02) PERSONAL SERVICES MATCHING	54,010
30	(03) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	91,800
32	(B) CONF. & TRAVEL	13,000
33	(C) PROF. FEES	0
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	0

1	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,024,350</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,337,237</u></u>

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SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E. ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for R.I.S.E. Arkansas remaining on June 30, ~~2018~~ 2019, in the Department of Education Public School Fund Account shall be designated and retained for the R.I.S.E. Arkansas. Any carry forward of unexpected balance of funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, ~~2018~~ 2019 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

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

17 The provisions of this section shall be in effect only from July 1, ~~2017~~
18 2018 through June 30, ~~2018~~ 2019.

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

1 residing in the separated portion of the school district. The payments are to
2 be limited to the amount of available appropriation. Such school districts
3 shall file a request for reimbursement with the Department of Education and
4 provide the Department of Education with such documentation as is deemed
5 necessary.

6 The provisions of this section shall be in effect only from July 1, ~~2017~~
7 2018 through June 30, ~~2018~~ 2019.

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

19 The provisions of this section shall be in effect only from July 1, ~~2017~~
20 2018 through June 30, ~~2018~~ 2019.

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22 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
25 fiscal year thereafter, the Department of Education shall from time to time
26 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
27 State, the amount of funds disbursed or approved to be disbursed by the
28 Department of Education for desegregation expenses under any "Desegregation
29 Settlement Agreement". Upon the receipt of such certification, the State
30 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
31 202(b)(2)(B), shall also deduct from the net general revenues the amount
32 certified and transfer this amount to the Department of Education Public
33 School Fund Account there to be used exclusively for payment of or
34 reimbursement for expenses incurred from the Department of Education Public
35 School Fund Account under any "Desegregation Settlement Agreement".

36 The provisions of this section shall be in effect only from July 1, ~~2017~~

1 2018 through June 30, ~~2018~~ 2019.

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

8 The provisions of this section shall be in effect only from July 1, ~~2017~~
9 2018 through June 30, ~~2018~~ 2019.

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

16 The provisions of this section shall be in effect only from July 1, ~~2017~~
17 2018 through June 30, ~~2018~~ 2019.

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19 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
21 AUTHORITY. The Commissioner of the Department of Education, with the approval
22 of the Chief Fiscal Officer of the State and after approval by the Arkansas
23 Legislative Council or Joint Budget Committee, is hereby authorized to
24 request necessary appropriation transfers and any other budget related
25 adjustments necessary within the Department of Education. Provided, however,
26 that the Department of Education shall be limited to submitting no more than
27 two transfer requests during any fiscal 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 Commissioner 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, ~~2017~~
9 2018 through June 30, ~~2018~~ 2019.

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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, ~~2017~~
20 2018 through June 30, ~~2018~~ 2019.

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22 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
25 "Distressed School District Support" in the Grants and Aid to Local School
26 Districts and Special Programs section of this Act may be used for technical
27 assistance offered by the Department of Education to school districts in
28 academic distress that can include, but is not limited to, teacher
29 specialists, principal specialists, and other personnel assigned by the
30 department. These funds may also be used for alternative research-based
31 technical assistance or programs. Criteria for selecting and approving
32 alternative research-based technical assistance or programs are to be
33 promulgated as a rule by the State Board of Education, provided that
34 alternative staffing and/or compensation programs for teachers shall be
35 approved by at least a majority of the teachers in the school, schools, or
36 school district participating in the program.

1 The provisions of this section shall be in effect only from July 1, 2017
2 2018 through June 30, ~~2018~~ 2019.

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4 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
6 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
7 Districts shall pay the teacher retirement employer contribution rate for any
8 eligible employee in accordance with rules and regulations established by the
9 Teacher Retirement Board of Directors. The appropriation contained herein for
10 Teacher Retirement Matching each fiscal year shall be used to provide the
11 employer matching for employees of the Cooperative Education Services Areas,
12 Vocational Centers, Arkansas Easter Seals and the school operated by the
13 Department of Correction.

14 The provisions of this section shall be in effect only from July 1, 2017
15 2018 through June 30, ~~2018~~ 2019.

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17 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
19 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
20 authorized to expend a maximum of two percent (2%) of available funds for
21 administration of the Better Chance Program. Up to 1.8% of available funds
22 shall be used to administer the program and to monitor program grantees to
23 ensure compliance with programmatic standards. Prior to the utilization of
24 the remaining 0.2% of available funds, the Department of Education shall seek
25 prior review and approval of the Arkansas Legislative Council or Joint Budget
26 Committee by providing a written request to include the following: a) the
27 Department's reason(s) for the use of the funds and b) the amount of funds
28 that will be expended. The Department may contract with the Division of Child
29 Care and Early Childhood Education to administer the program.

30 Determining the maximum number of employees and the maximum amount of
31 appropriation and general revenue funding for a state agency each fiscal year
32 is the prerogative of the General Assembly. This is usually accomplished by
33 delineating such maximums in the appropriation act(s) for a state agency and
34 the general revenue allocations authorized for each fund and fund account by
35 amendment to the Revenue Stabilization law. Therefore, it is both necessary
36 and appropriate that the General Assembly maintain oversight by requiring

1 prior approval of the Legislative Council or Joint Budget Committee as
2 provided by this section. The requirement of approval by the Legislative
3 Council or Joint Budget Committee is not a severable part of this section.
4 If the requirement of approval by the Legislative Council or Joint Budget
5 Committee is ruled unconstitutional by a court of competent jurisdiction,
6 this entire section is void.

7 The provisions of this section shall be in effect only from July 1, ~~2017~~
8 2018 through June 30, ~~2018~~ 2019.

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10 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
12 TEACHER SALARY. The Arkansas Department of Education is requested to
13 calculate Average Teacher Salary in the Department's Annual Statistical
14 Report to not include extra duty funds. Specifically, the Department is
15 requested to calculate the Average Teacher Salary amount using the National
16 Education Association definitions for Average Salary for Classroom Teachers.
17 The Arkansas Department of Education shall submit this data annually to the
18 National Education Association in accordance with that organization's
19 deadlines for submission for their report "Rankings and Estimates" which
20 includes state-by-state teacher salary comparisons.

21 The provisions of this section shall be in effect only from July 1, ~~2017~~
22 2018 through June 30, ~~2018~~ 2019.

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24 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
26 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated
27 for the Arkansas Better Chance for School Success Program remaining on June
28 30, ~~2018~~ 2019, in the Department of Education Public School Fund Account
29 shall be designated and retained for the Arkansas Better Chance for School
30 Success Program.

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

33 (1) Prior to June 30, ~~2018~~ 2019 the Agency shall by written statement set
34 forth its reason(s) for the need to carry forward said funding to the
35 Department of Finance and Administration Office of Budget;

36 (2) The Department of Finance and Administration Office of Budget shall

1 report to the Arkansas Legislative Council or Joint Budget Committee all
2 amounts carried forward by the September Arkansas Legislative Council or
3 Joint Budget Committee meeting which report shall include the name of the
4 Agency, Board, Commission or Institution and the amount of the funding
5 carried forward, the program name or line item, the funding source of that
6 appropriation and a copy of the written request set forth in (1) above;

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

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

18 The provisions of this section shall be in effect only from July 1, ~~2017~~
19 2018 through June 30, ~~2018~~ 2019.

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21 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
23 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the
24 Department of Finance and Administration may use up to eleven dollars and
25 twenty cents (\$11.20) from each contribution made under Arkansas Code
26 §6-17-1117(a) to offset the cost of health insurance premiums to eligible
27 members electing to participate in the public school employees' health
28 insurance program as a retiree.

29 The provisions of this section shall be in effect only from July 1, ~~2017~~
30 2018 through June 30, ~~2018~~ 2019.

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32 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
35 shall transfer on his books and those of the State Treasurer and the State
36 Auditor, the sum of two hundred thousand dollars (\$200,000) during each

1 fiscal year from the Department of Education Public School Fund Account to
2 the University of Arkansas at Little Rock Fund, specifically to provide
3 funding for the Arkansas/STRIVE Program. The total amount of funds
4 transferred each fiscal year pursuant to this section shall not be subject to
5 any indirect costs by the University of Arkansas at Little Rock.

6 The provisions of this section shall be in effect only from July 1, ~~2017~~
7 2018 through June 30, ~~2018~~ 2019.

8

9 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
11 INSURANCE. The appropriation contained herein for Public School Employee
12 Insurance each fiscal year shall be used to provide the state contribution
13 for insurance premiums for employees of the Cooperative Education Services
14 Areas, Vocational Centers, and the school operated by the Department of
15 Correction who participate in the Arkansas Public School Life and Health
16 Insurance Program.

17 The provisions of this section shall be in effect only from July 1, ~~2017~~
18 2018 through June 30, ~~2018~~ 2019.

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20 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
22 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
23 funding for Alternative Learning Environment Programs in excess of the
24 regulatory limitation of six (6) hours per day for those programs that
25 operate more than twelve hours per day, in a proportionate manner and upon
26 special request to the Department of Education.

27 The provisions of this section shall be in effect only from July 1, ~~2017~~
28 2018 through June 30, ~~2018~~ 2019.

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30 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
32 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
33 public schools, or for abortion services. Funds shall be expended in
34 accordance with Arkansas Code Annotated §6-18-703.

35 The provisions of this section shall be in effect only from July 1, ~~2017~~
36 2018 through June 30, ~~2018~~ 2019.

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SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION. Effective for the plan year beginning January 1, ~~2017~~ 2018, if ninety-eight percent (98%) of the uniform rate of tax used in the calculation of State Foundation Funding Aid for fiscal year ~~2017-2018~~ 2018-2019 exceeds nine hundred twenty million seven hundred thirty-one thousand eight hundred nineteen dollars (\$920,731,819), the Department of Education shall pay up to fifteen million dollars (\$15,000,000) of the total increase over the nine hundred twenty million seven hundred thirty-one thousand eight hundred nineteen dollars (\$920,731,819) to the Employee Benefits Division of the Department of Finance and Administration in additional health insurance contributions for eligible employees electing to participate in the public school employees' health insurance program administered by the State and Public School Life and Health Insurance Board.

The Department of Education shall make the contributions by transferring funds to the division in quarterly installments. Funds provided by the Department of Education to the division under this section shall be administered by the board for the benefit of the employee participants of the public school employees' health insurance program.

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

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

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

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2 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
4 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
5 each fiscal year, an amount of not less than three million five thousand
6 dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each
7 fiscal year, shall be awarded through a grant or professional services
8 contract for the EAST Initiative. Not less than one million dollars
9 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or
10 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST
11 Initiatives shall be used for EAST infrastructure and personnel growth for
12 the establishment of new programs. The remaining funding shall be used for
13 existing EAST infrastructure, personnel, and operating expenses of the EAST
14 Initiative. The EAST infrastructure grant or contract for personal services
15 and operating expenses shall be awarded to an entity that has personnel or
16 experience, or both, in implementing the EAST Initiative.

17 The provisions of this section shall be in effect only from July 1, ~~2017~~
18 2018 through June 30, ~~2018~~ 2019.

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

1 chaperones, Destination Imagination, the State History Day Competition, and
2 the Arkansas Science Fair Association for grants to regional and state
3 science fairs. The Department shall either expend or have committed for
4 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,
5 Inc., Destination Imagination, the State History Day Competition, and
6 Arkansas Science Fair Association grants as authorized herein in order to
7 fulfill the provisions of this section.

8 The provisions of this section shall be in effect only from July 1, ~~2017~~
9 2018 through June 30, ~~2018~~ 2019.

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11 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
13 SCHOOL DISTRICT ISOLATED - BASE FUNDING UNDER CERTAIN CIRCUMSTANCES.

14 (a) The amount of funding a school district receives under either § 6-
15 20-604(c) and (h) or § 6-20-604(d) and (h) in the fiscal year 2014-2015 shall
16 become the base year funding for fiscal year 2015-2016 if a school district
17 meets the following requirements in the 2014-2015 fiscal year and all of the
18 following requirements except for population density ratio in the 2015-2016
19 fiscal year:

20 (1) Either:

21 (A) Sections 6-20-604(b) and (c); or

22 (B) Sections 6-20-604(b) and (d); and

23 (2) Section 6-20-601.

24 (b) If after the 2015-2016 fiscal year, an increase in a school
25 district's population density ratio precludes funding under § 6-20-604(c) and
26 (h) or § 6-20-604(d) and (h), the amount of funding a school district shall
27 receive is the amount specified under subsection (a) of this section less ten
28 percent (10%) cumulative each year until the funding amount a school district
29 receives is the amount of funding the school district is eligible to receive
30 under:

31 (1) Sections 6-20-604(e) and (h); or

32 (2) Section 6-20-604(f).

33 The provisions of this section shall be in effect only from July 1, ~~2017~~
34 2018 through June 30, ~~2018~~ 2019.

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36 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 PROFESSIONAL DEVELOPMENT.

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

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

- 12 (1) Annual expenditure information;
- 13 (2) Statistical information pertaining to users of the
14 initiative;
- 15 (3) Course offerings;
- 16 (4) Course hours completed; and
- 17 (5) Certificates awarded.

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

- 20 (1) Governor;
- 21 (2) Legislative Council or, if the General Assembly is
22 in session, the Joint Budget Committee;
- 23 (3) Senate Committee on Education;
- 24 (4) House Committee on Education; and
- 25 (5) Department of Finance and Administration.

26 (c) The provisions of this section shall be in effect only from July 1,
27 ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

28

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

32 (a)(1) Of the appropriation and funding for the NSL MATCHING GRANT
33 PROGRAM Item in the Grants and Aid to Local School Districts and Special
34 Programs section of this Act, four million three hundred thousand dollars
35 (\$4,300,000) shall be set aside by the Department of Education and shall be
36 used for school district expenditures for evidence-based programs to improve

1 academic achievement of identified national school lunch students.

2 (2) These programs shall be limited to:

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

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

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

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

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

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

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

22 (e) The provisions of this section shall be in effect only from July 1,
23 ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

24
25 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.
27 ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in the
28 Grants and Aid to Local School Districts and Special Programs section of this
29 Act shall be used for the coordination of a statewide reading campaign with
30 community partners, parents, and teachers to establish the importance of
31 reading in homes, schools, and communities.

32 The provisions of this section shall be in effect only from July 1,
33 ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

34
35 SECTION 33. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code § 6-17-
36 812 is amended to read as follows:

1 6-17-812. Compensation for teaching more than the maximum number of
2 students permitted.

3 (a)(1) If a teacher in grades five through twelve (5-12) ~~volunteers~~
4 agrees to teach more than the maximum number of students permitted per day
5 under the Standards for Accreditation of Arkansas Public Schools and School
6 Districts or subdivision (a)(4)(A) of this section, then the teacher's pay
7 under his or her contract shall be increased by an amount proportionate to
8 the teacher's base pay and the additional number of students taught by the
9 teacher.

10 (2) Subdivision (a)(1) of this section permits a teacher to
11 ~~volunteer~~ agree to teach more than the maximum number of students permitted
12 per day under the Standards for Accreditation of Arkansas Public Schools and
13 School Districts or subdivision (a)(4)(A) of this section but does not permit
14 a teacher to exceed the maximum class size permitted under the Standards for
15 Accreditation of Arkansas Public Schools and School Districts.

16 (3) A teacher in grades five through twelve (5-12) may ~~volunteer~~
17 agree to use his or her conference period during the day to teach an
18 additional class period or to teach more than the maximum number of students
19 per day and shall be compensated at a prorated portion of his or her contract
20 for both the extra class period and for every additional student he or she
21 teaches over the maximum number of students permitted per day under the
22 Standards for Accreditation of Arkansas Public Schools and School Districts
23 or subdivision (a)(4)(A) of this section.

24 (4)(A) Except when a teacher teaches a course that lends itself
25 to large group instruction, as defined by the Department of Education, The
26 the maximum number of students a teacher in grades five through twelve (5-12)
27 is permitted to teach without receiving additional compensation under this
28 section shall not exceed one hundred fifty (150) students per day.

29 (B) ~~The Department of Education~~ department shall include
30 in the Standards for Accreditation of Arkansas Public Schools and School
31 Districts the maximum number of students to be taught per day and the
32 exception under subdivision (a)(4)(A) of this section.

33 (b)(1) A teacher is not required to teach more than the maximum number
34 of students permitted per day under the Standards for Accreditation of
35 Arkansas Public Schools and School Districts, but a teacher may ~~voluntarily~~
36 agree to teach more than the maximum number of students permitted per day.

1 (2) A teacher ~~who volunteers under subsection (a) of this~~
2 ~~section~~ shall sign an agreement with the school district for the additional
3 compensation that is applicable to the semester in which the teacher
4 ~~volunteers~~ agrees to teach more than the maximum number of students permitted
5 per day under the Standards for Accreditation of Arkansas Public Schools and
6 School Districts.

7 (3)(A) Neither the school district nor the teacher is obligated
8 to enter into or renew an agreement or continue an agreement past the
9 semester in which the agreement is signed.

10 (B) An agreement between the teacher and the school
11 district shall be signed before any additional compensation is provided.

12 (C) The provisions of The Teacher Fair Dismissal Act of
13 1983, § 6-17-1501 et seq., do not apply to an agreement entered into between
14 a teacher and a school district under this section.

15 (4) A public school or school district that enters into, renews,
16 or continues an agreement with a teacher under this section is not in
17 violation of the Standards for Accreditation of Arkansas Public Schools and
18 School Districts because the teacher teaches more than the maximum number of
19 students per day.

20 (c) This section does not apply to a public school that operates
21 primarily as a virtual school.

22 (d) A school district shall adopt a policy to implement this section.

23 (e)(1) The department shall promulgate rules to implement this
24 section.

25 (2) The rules promulgated by the department shall include
26 without limitation the manner in which students in grades five (5) and six
27 (6) are to be counted for the purposes of this section.

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

1 strictly complied with in disbursement of said funds.

2

3 SECTION 35. LEGISLATIVE INTENT. It is the intent of the General
4 Assembly that any funds disbursed under the authority of the appropriations
5 contained in this act shall be in compliance with the stated reasons for
6 which this act was adopted, as evidenced by the Agency Requests, Executive
7 Recommendations and Legislative Recommendations contained in the budget
8 manuals prepared by the Department of Finance and Administration, letters, or
9 summarized oral testimony in the official minutes of the Arkansas Legislative
10 Council or Joint Budget Committee which relate to its passage and adoption.

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12 SECTION 36. EFFECTIVE DATE. This act is effective on and after July 1,
13 2018.

14

/s/Joint Budget Committee

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