

1 State of Arkansas *As Engrossed: S3/14/17 S3/16/17 S3/23/17*

2 91st General Assembly

A Bill

3 Regular Session, 2017

SENATE BILL 168

4

5 By: Joint Budget Committee

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For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO
9 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE
10 DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2018; AND FOR OTHER PURPOSES.

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Subtitle

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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
SPECIAL PROGRAMS. There is hereby appropriated, to the Department of
Education, to be payable from the Department of Education Public School Fund
Account, for grants and aid to local school districts and special programs of
the Department of Education for the fiscal year ending June 30, 2018, the
following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE	\$15,000,000
(03) ADVANCED PLACEMENT INCENTIVE	825,000
(04) ALTERNATIVE LEARNING	26,394,317



1	(05)	ARKANSAS EASTER SEALS	193,113
2	(06)	ASSESSMENT/END OF LEVEL TESTING	22,250,189
3	(07)	AT RISK	1,688,530
4	(08)	BETTER CHANCE PROGRAM	114,000,000
5	(09)	BONDED DEBT ASSISTANCE	28,455,384
6	(10)	COMPUTER SCIENCE INITIATIVE	2,500,000
7	(11)	CONSOLIDATION INCENTIVE	5,981,400
8	(12)	CONTENT STANDARDS	161,000
9	(13)	CONTENTS STANDARDS CURRICULUM	
10		FRAMEWORKS	50,000
11	(14)	COOP EDUCATION TECH CENTERS	1,200,000
12	(15)	COORDINATED SCHOOL HEALTH	2,000,000
13	(16)	COURT ORDERED DESEGREGATION	65,794,267
14	(17)	CRIMINAL BACKGROUND CHECKS	25,000
15	(18)	DECLINING ENROLLMENT	13,963,389
16	(19)	DEPT OF CORRECTION	6,543,752
17	(20)	DISTANCE LEARNING	4,760,000
18	(21)	DISTANCE LEARNING OPERATIONS	7,575,000
19	(22)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
20	(23)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
21	(24)	ECONOMIC EDUCATION	400,000
22	(25)	EDUCATION SERVICE COOPERATIVES	6,129,270
23	(26)	ENGLISH LANGUAGE LEARNERS	15,715,105
24	(27)	ENHANCED TRANSPORTATION FUNDING	3,000,000
25	(28)	GENERAL FACILITIES FUNDING	8,100,000
26	(29)	GIFTED & TALENTED	1,485,381
27	(30)	GRANTS TO SCHOOL DISTRICTS	67,856
28	(31)	HUMAN DEVELOPMENT CENTER EDUCATION	
29		AID	526,150
30	(32)	INTERVENTION BLOCK GRANTS	302,000
31	(33)	ISOLATED FUNDING	7,896,000
32	(34)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
33	(35)	MASTER PRINCIPAL BONUS	208,000
34	(36)	NATIONAL BOARD OF PROF TEACHING	
35		STANDARDS	15,322,100
36	(37)	NATIONAL SCHOOL LUNCH	223,783,349

1	(38)	NON-TRADITIONAL LICENSURE	50,000
2	(39)	NSL MATCHING GRANT PROGRAM	4,300,000
3	(40)	OE CHARTER FAC FUNDING AID PRG	5,000,000
4	(41)	PROFESSIONAL DEVELOPMENT FUNDING	20,617,836
5	(42)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
6	(43)	R.I.S.E. ARKANSAS	1,100,000
7	(44)	RESIDENTIAL CENTERS/JUVENILE	
8		DETENTION	16,345,087
9	(45)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
10	(46)	SCHOOL FOOD SERVICES	1,650,000
11	(47)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
12	(48)	SCHOOL FUNDING CONTINGENCY	25,000,000
13	(49)	SCHOOL RECOGNITION	7,000,000
14	(50)	SCHOOL WORKER DEFENSE	390,000
15	(51)	SERIOUS OFFENDER	1,716,859
16	(52)	SMART START/SMART STEP	10,666,303
17	(53)	SPECIAL EDUCATION SERVICES	2,802,527
18	(54)	SPECIAL EDUCATION-CATASTROPHIC	13,000,000
19	(55)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
20	(56)	STATE FOUNDATION FUNDING	2,085,908,817
21	(57)	STUDENT GROWTH	37,690,144
22	(58)	SUPPLEMENTAL MILLAGE	10,000,000
23	(59)	SURPLUS COMMODITIES	1,125,065
24	(60)	TEACHER LICENSING/MENTORING	6,065,758
25	(61)	TEACHER OF THE YEAR	100,000
26	(62)	TEACHER RECRUITMENT	2,100,000
27	(63)	TEACHER RETIREMENT MATCHING	10,124,858
28	(64)	TECHNOLOGY GRANTS	3,602,678
29	(65)	TECHNOLOGY IMPROVEMENTS	500,000
30	(66)	WORKER'S COMPENSATION	450,000
31	(67)	YOUTH SHELTERS	<u>165,000</u>
32		TOTAL AMOUNT APPROPRIATED	<u>\$2,982,663,004</u>

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

35 There is hereby established for the Department of Education - Arkansas Public
 36 School Computer Network for the 2017-2018 fiscal year, the following maximum

1 number of regular employees.

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			Maximum	Maximum Annual
			No. of	Salary Rate
Item	Class	Title	Employees	Fiscal Year
No.	Code	Title	Employees	2017-2018
(1)	N047N	ADE APSCN DIRECTOR	1	GRADE N908
(2)	G012C	ADE ASSISTANT TO COMMISSIONER	3	GRADE C129
(3)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
(4)	D006C	SOFTWARE ENGINEER LEAD	1	GRADE C128
(5)	D012C	DATABASE SPECIALIST	1	GRADE C127
(6)	G050C	ADE APSCN DIVISION MANAGER	3	GRADE C126
(7)	D105C	ADE STATE NETWORK ENGINEER	1	GRADE C126
(8)	D104C	ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE C126
(9)	D037C	ADE APSCN APPLICATIONS MANAGER	3	GRADE C124
(10)	D042C	DATA WAREHOUSE SPECIALIST	1	GRADE C123
(11)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE C123
(12)	D055C	ADE APSCN FIELD ANALYST	25	GRADE C121
(13)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE C119
(14)	A089C	ACCOUNTANT I	1	GRADE C116
(15)	C020C	STUDENT APPLICATIONS SPECIALIST	4	GRADE C116
(16)	D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE C115
(17)	D077C	HELP DESK SPECIALIST	2	GRADE C115
(18)	C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
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, 2018, the following:

ITEM	FISCAL YEAR
NO.	2017-2018
(01)	REGULAR SALARIES
	\$2,446,075

1	(02) PERSONAL SERVICES MATCHING	794,444
2	(03) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	19,245,839
4	(B) CONF. & TRAVEL	7,250
5	(C) PROF. FEES	0
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	0
8	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$22,793,608</u>

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11 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 12 is hereby established for the Department of Education - Office of Education
 13 Renewal Zones for the 2017-2018 fiscal year, the following maximum number of
 14 regular employees.

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16			Maximum Annual
17		Maximum	Salary Rate
18	Item Class	No. of	Fiscal Year
19	<u>No. Code Title</u>	<u>Employees</u>	<u>2017-2018</u>
20	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3	GRADE C122
21	(2) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
22	MAX. NO. OF EMPLOYEES	4	

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24 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 25 hereby appropriated, to the Department of Education, to be payable from the
 26 Department of Education Public School Fund Account, for personal services,
 27 operating expenses and grants by the Department of Education - Office of
 28 Education Renewal Zones for the fiscal year ending June 30, 2018, the
 29 following:

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31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2017-2018</u>
33	(01) REGULAR SALARIES	\$154,077
34	(02) PERSONAL SERVICES MATCHING	54,010
35	(03) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	91,800

1	(B) CONF. & TRAVEL	13,000
2	(C) PROF. FEES	0
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	0
5	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,024,350</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,337,237</u></u>

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8 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.
10 ARKANSAS - CARRY FORWARD. Any unexpended balance of monies allocated for
11 R.I.S.E. Arkansas remaining on June 30, ~~2017~~ 2018, in the Department of
12 Education Public School Fund Account shall be designated and retained for the
13 R.I.S.E. Arkansas.

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

16 (1) Prior to June 30, ~~2017~~ 2018 the Agency shall by written statement
17 set forth its reason(s) for the need to carry forward said funding to the
18 Department of Finance and Administration Office of Budget;

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

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

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

1 Institution.

2 The provisions of this section shall be in effect only from July 1, ~~2016~~
3 2017 through June 30, ~~2017~~ 2018.

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

22 The provisions of this section shall be in effect only from July 1, ~~2016~~
23 2017 through June 30, ~~2017~~ 2018.

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

1 of more than 35 miles round trip and pass through another school district or
2 districts. The Department of Education shall distribute the monies
3 appropriated for Grants to School Districts in the Grants and Aid to Local
4 School Districts and Special Programs section of this Act to such school
5 districts as reimbursement for expenses incurred in educating the pupils
6 residing in the separated portion of the school district. The payments are to
7 be limited to the amount of available appropriation. Such school districts
8 shall file a request for reimbursement with the Department of Education and
9 provide the Department of Education with such documentation as is deemed
10 necessary.

11 The provisions of this section shall be in effect only from July 1, ~~2016~~
12 2017 through June 30, ~~2017~~ 2018.

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

24 The provisions of this section shall be in effect only from July 1, ~~2016~~
25 2017 through June 30, ~~2017~~ 2018.

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27 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
29 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
30 fiscal year thereafter, the Department of Education shall from time to time
31 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
32 State, the amount of funds disbursed or approved to be disbursed by the
33 Department of Education for desegregation expenses under any "Desegregation
34 Settlement Agreement". Upon the receipt of such certification, the State
35 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
36 202(b)(2)(B), shall also deduct from the net general revenues the amount

1 certified and transfer this amount to the Department of Education Public
2 School Fund Account there to be used exclusively for payment of or
3 reimbursement for expenses incurred from the Department of Education Public
4 School Fund Account under any "Desegregation Settlement Agreement".

5 The provisions of this section shall be in effect only from July 1, ~~2016~~
6 2017 through June 30, ~~2017~~ 2018.

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8 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
11 Incentive shall be allocated in accordance with rules and regulations
12 established by the State Board of Education.

13 The provisions of this section shall be in effect only from July 1, ~~2016~~
14 2017 through June 30, ~~2017~~ 2018.

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16 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

18 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
19 Residential Centers/Juvenile Detention shall be allocated in accordance with
20 rules and regulations established by the State Board of Education.

21 The provisions of this section shall be in effect only from July 1, ~~2016~~
22 2017 through June 30, ~~2017~~ 2018.

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

26 AUTHORITY. The Commissioner of the Department of Education, with the approval
27 of the Chief Fiscal Officer of the State and after approval by the Arkansas
28 Legislative Council or Joint Budget Committee, is hereby authorized to
29 request necessary appropriation transfers and any other budget related
30 adjustments necessary within the Department of Education. Provided, however,
31 that the Department of Education shall be limited to submitting no more than
32 two transfer requests during any fiscal year.

33 Determining the maximum number of employees and the maximum amount of
34 appropriation and general revenue funding for a state agency each fiscal year
35 is the prerogative of the General Assembly. This is usually accomplished by
36 delineating such maximums in the appropriation act(s) for a state agency and

1 the general revenue allocations authorized for each fund and fund account by
2 amendment to the Revenue Stabilization law. Further, the General Assembly
3 has determined that the Department of Education may operate more efficiently
4 if some flexibility is provided to the Commissioner of the Department of
5 Education authorizing broad powers under the Transfer Authority provision
6 herein. Therefore, it is both necessary and appropriate that the General
7 Assembly maintain oversight by requiring prior approval of the Legislative
8 Council or Joint Budget Committee as provided by this section. The
9 requirement of approval by the Legislative Council or Joint Budget Committee
10 is not a severable part of this section. If the requirement of approval by
11 the Legislative Council or Joint Budget Committee is ruled unconstitutional
12 by a court jurisdiction, this entire section is void.

13 The provisions of this section shall be in effect only from July 1, ~~2016~~
14 2017 through June 30, ~~2017~~ 2018.

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

24 The provisions of this section shall be in effect only from July 1, ~~2016~~
25 2017 through June 30, ~~2017~~ 2018.

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27 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
29 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
30 "Distressed School District Support" in the Grants and Aid to Local School
31 Districts and Special Programs section of this Act may be used for technical
32 assistance offered by the Department of Education to school districts in
33 academic distress that can include, but is not limited to, teacher
34 specialists, principal specialists, and other personnel assigned by the
35 department. These funds may also be used for alternative research-based
36 technical assistance or programs. Criteria for selecting and approving

1 alternative research-based technical assistance or programs are to be
2 promulgated as a rule by the State Board of Education, provided that
3 alternative staffing and/or compensation programs for teachers shall be
4 approved by at least a majority of the teachers in the school, schools, or
5 school district participating in the program.

6 The provisions of this section shall be in effect only from July 1, ~~2016~~
7 2017 through June 30, ~~2017~~ 2018.

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

11 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
12 Districts shall pay the teacher retirement employer contribution rate for any
13 eligible employee in accordance with rules and regulations established by the
14 Teacher Retirement Board of Directors. The appropriation contained herein for
15 Teacher Retirement Matching each fiscal year shall be used to provide the
16 employer matching for employees of the Cooperative Education Services Areas,
17 Vocational Centers, Arkansas Easter Seals and the school operated by the
18 Department of Correction.

19 The provisions of this section shall be in effect only from July 1, ~~2016~~
20 2017 through June 30, ~~2017~~ 2018.

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

35 Determining the maximum number of employees and the maximum amount of
36 appropriation and general revenue funding for a state agency each fiscal year

1 is the prerogative of the General Assembly. This is usually accomplished by
2 delineating such maximums in the appropriation act(s) for a state agency and
3 the general revenue allocations authorized for each fund and fund account by
4 amendment to the Revenue Stabilization law. Therefore, it is both necessary
5 and appropriate that the General Assembly maintain oversight by requiring
6 prior approval of the Legislative Council or Joint Budget Committee as
7 provided by this section. The requirement of approval by the Legislative
8 Council or Joint Budget Committee is not a severable part of this section.
9 If the requirement of approval by the Legislative Council or Joint Budget
10 Committee is ruled unconstitutional by a court of competent jurisdiction,
11 this entire section is void.

12 The provisions of this section shall be in effect only from July 1, ~~2016~~
13 2017 through June 30, ~~2017~~ 2018.

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

26 The provisions of this section shall be in effect only from July 1, ~~2016~~
27 2017 through June 30, ~~2017~~ 2018.

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29 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
31 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated
32 for the Arkansas Better Chance for School Success Program remaining on June
33 30, ~~2017~~ 2018, in the Department of Education Public School Fund Account
34 shall be designated and retained for the Arkansas Better Chance for School
35 Success Program.

36 Any carry forward of unexpended balance of funding as authorized herein,

1 may be carried forward under the following conditions:

2 (1) Prior to June 30, ~~2017~~ 2018 the Agency shall by written statement set
3 forth its reason(s) for the need to carry forward said funding to the
4 Department of Finance and Administration Office of Budget;

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

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

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

23 The provisions of this section shall be in effect only from July 1, ~~2016~~
24 2017 through June 30, ~~2017~~ 2018.

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26 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
28 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the
29 Department of Finance and Administration may use up to eleven dollars and
30 twenty cents (\$11.20) from each contribution made under Arkansas Code
31 §6-17-1117(a) to offset the cost of health insurance premiums to eligible
32 members electing to participate in the public school employees' health
33 insurance program as a retiree.

34 The provisions of this section shall be in effect only from July 1, ~~2016~~
35 2017 through June 30, ~~2017~~ 2018.

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1 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
4 shall transfer on his books and those of the State Treasurer and the State
5 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
6 fiscal year from the Department of Education Public School Fund Account to
7 the University of Arkansas at Little Rock Fund, specifically to provide
8 funding for the Arkansas/STRIVE Program. The total amount of funds
9 transferred each fiscal year pursuant to this section shall not be subject to
10 any indirect costs by the University of Arkansas at Little Rock.

11 The provisions of this section shall be in effect only from July 1, ~~2016~~
12 2017 through June 30, ~~2017~~ 2018.

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

22 The provisions of this section shall be in effect only from July 1, ~~2016~~
23 2017 through June 30, ~~2017~~ 2018.

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

32 The provisions of this section shall be in effect only from July 1, ~~2016~~
33 2017 through June 30, ~~2017~~ 2018.

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

1 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
2 public schools, or for abortion services. Funds shall be expended in
3 accordance with Arkansas Code Annotated §6-18-703.

4 The provisions of this section shall be in effect only from July 1, ~~2016~~
5 2017 through June 30, ~~2017~~ 2018.

6
7 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
9 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.
10 Effective for the plan year beginning January 1, ~~2016~~ 2017, if ninety-eight
11 percent (98%) of the uniform rate of tax used in the calculation of State
12 Foundation Funding Aid for fiscal year ~~2016-2017~~ 2017-2018 exceeds nine
13 hundred twenty million seven hundred thirty-one thousand eight hundred
14 nineteen dollars (\$920,731,819), the Department of Education shall pay up to
15 fifteen million dollars (\$15,000,000) of the total increase over the nine
16 hundred twenty million seven hundred thirty-one thousand eight hundred
17 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the
18 Department of Finance and Administration in additional health insurance
19 contributions for eligible employees electing to participate in the public
20 school employees' health insurance program administered by the State and
21 Public School Life and Health Insurance Board.

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

27 The provisions of this section shall be in effect only from July 1, ~~2016~~
28 2017 through June 30, ~~2017~~ 2018.

29
30 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
32 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
33 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
34 addition to funds already being provided for the Arkansas Governor's School,
35 to fund the appropriation authorized from general revenue for the Gifted and
36 Talented program as appropriated in the Grants and Aid to Local School

1 Districts and Special Programs section herein. With this additional funding
2 the duration of the Arkansas Governor's School shall be extended from four
3 (4) weeks to six (6) weeks.

4 The provisions of this section shall be in effect only from July 1, ~~2016~~
5 2017 through June 30, ~~2017~~ 2018.

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

22 The provisions of this section shall be in effect only from July 1,
23 ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

24
25 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
27 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
28 shall make available from the Intervention Block Grants appropriation
29 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
30 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
31 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for
32 grants up to \$1,000 each for students and chaperones, thirteen thousand five
33 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one
34 hundred thousand dollars (\$100,000) each fiscal year for the State History
35 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year
36 for a grant to the Arkansas Science Fair Association for grants to regional

1 and the state science fairs. The Department of Education shall allocate
2 General Revenue funding totaling no less than three hundred two thousand
3 dollars (\$302,000) each fiscal year from the Department of Education Public
4 School Fund Account to support the annual expenses of the Quiz Bowl, the
5 Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and
6 chaperones, Destination Imagination, the State History Day Competition, and
7 the Arkansas Science Fair Association for grants to regional and state
8 science fairs. The Department shall either expend or have committed for
9 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,
10 Inc., Destination Imagination, the State History Day Competition, and
11 Arkansas Science Fair Association grants as authorized herein in order to
12 fulfill the provisions of this section.

13 The provisions of this section shall be in effect only from July 1, ~~2016~~
14 2017 through June 30, ~~2017~~ 2018.

15

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

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

25 (1) Either:

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

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

28 (2) Section 6-20-601.

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

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

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

2 The provisions of this section shall be in effect only from July 1, 2016
3 2017 through June 30, ~~2017~~ 2018.

4
5 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 PROFESSIONAL DEVELOPMENT.

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

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

17 (1) Annual expenditure information;

18 (2) Statistical information pertaining to users of the
19 initiative;

20 (3) Course offerings;

21 (4) Course hours completed; and

22 (5) Certificates awarded.

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

25 (1) Governor;

26 (2) Legislative Council or, if the General Assembly is
27 in session, the Joint Budget Committee;

28 (3) Senate Committee on Education;

29 (4) House Committee on Education; and

30 (5) Department of Finance and Administration.

31 (c) The provisions of this section shall be in effect only from July 1,
32 2017 through June 30, 2018.

33
34 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NSL
36 MATCHING GRANT PROGRAM. (a)(1) Of the appropriation and funding for the NSL

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

6 (2) These programs shall be limited to:

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

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

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

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

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

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

24 (b) The Department of Education shall adopt rules as necessary to
25 implement this section.

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

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

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

1 2017 through June 30, 2018.

2
3 SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
4 authorized by this act shall be limited to the appropriation for such agency
5 and funds made available by law for the support of such appropriations; and
6 the restrictions of the State Procurement Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

12
13 SECTION 34. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this act shall be in compliance with the stated reasons for
16 which this act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

21
22 SECTION 35. EMERGENCY CLAUSE. It is found and determined by the
23 General Assembly, that the Constitution of the State of Arkansas prohibits
24 the appropriation of funds for more than a one (1) year period; that the
25 effectiveness of this Act on July 1, 2017 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the legislative session, the delay in the
28 effective date of this Act beyond July 1, 2017 could work irreparable harm
29 upon the proper administration and provision of essential governmental
30 programs. Therefore, an emergency is hereby declared to exist and this Act
31 being necessary for the immediate preservation of the public peace, health
32 and safety shall be in full force and effect from and after July 1, 2017.

33
34 */s/ Joint Budget Committee*

35
36 **APPROVED: 04/06/2017**