

1 State of Arkansas *As Engrossed: S4/26/16 S4/28/16*

2 90th General Assembly

# A Bill

3 Fiscal Session, 2016

SENATE BILL 58

4

5 By: Joint Budget Committee

6

7

## 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, 2017; AND FOR OTHER PURPOSES.

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## Subtitle

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

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SECTION 1. APPROPRIATION. 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, 2017, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</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	25,940,361
(05) ARKANSAS EASTER SEALS	193,113
(06) ASSESSMENT/END OF LEVEL TESTING	23,350,681



1	(07)	AT RISK	1,988,530
2	(08)	BETTER CHANCE PROGRAM	111,000,000
3	(09)	BONDED DEBT ASSISTANCE	28,455,384
4	(10)	BROADBAND FACILITIES MATCHING GRANT	
5		PROGRAM	5,000,000
6	(11)	CONSOLIDATION INCENTIVE	5,868,900
7	(12)	CONTENT STANDARDS	161,000
8	(13)	CONTENTS STANDARDS CURRICULUM	
9		FRAMEWORKS	50,000
10	(14)	COOP EDUCATION TECH CENTERS	1,200,000
11	(15)	COORDINATED SCHOOL HEALTH	2,000,000
12	(16)	COURT ORDERED DESEGREGATION	65,794,267
13	(17)	CRIMINAL BACKGROUND CHECKS	25,000
14	(18)	DECLINING ENROLLMENT	13,963,389
15	(19)	DEPT OF CORRECTION	6,645,135
16	(20)	DISTANCE LEARNING	4,760,000
17	(21)	DISTANCE LEARNING OPERATIONS	7,575,000
18	(22)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
19	(23)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
20	(24)	ECONOMIC EDUCATION	400,000
21	(25)	EDUCATION SERVICE COOPERATIVES	6,129,270
22	(26)	ENGLISH LANGUAGE LEARNERS	14,570,430
23	(27)	GENERAL FACILITIES FUNDING	8,100,000
24	(28)	GIFTED & TALENTED	1,335,381
25	(29)	GRANTS TO SCHOOL DISTRICTS	67,856
26	(30)	HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
27	(31)	INTERNATIONAL BACCALAUREATE PROGRAM	75,000
28	(32)	INTERVENTION BLOCK GRANTS	302,000
29	(33)	ISOLATED FUNDING	7,896,000
30	(34)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
31	(35)	MASTER PRINCIPAL BONUS	208,000
32	(36)	NATIONAL BOARD OF PROF TEACHING	
33		STANDARDS	13,928,542
34	(37)	NATIONAL SCHOOL LUNCH	235,503,568
35	(38)	NON-TRADITIONAL LICENSURE	50,000
36	(39)	PROFESSIONAL DEVELOPMENT FUNDING	16,293,119

1	(40)	PUBLIC SCHOOL EMPLOYEE INSURANCE	57,373,600
2	(41)	RESIDENTIAL CENTERS/JUVENILE	
3		DETENTION	16,345,087
4	(42)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
5	(43)	SCHOOL FOOD SERVICES	1,650,000
6	(44)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
7	(45)	SCHOOL FUNDING CONTINGENCY	25,000,000
8	(46)	SCHOOL RECOGNITION	10,000,000
9	(47)	SCHOOL WORKER DEFENSE	390,000
10	(48)	SERIOUS OFFENDER	1,716,859
11	(49)	SMART START/SMART STEP	11,506,303
12	(50)	SPECIAL EDUCATION SERVICES	2,802,527
13	(51)	SPECIAL EDUCATION-CATASTROPHIC	11,000,000
14	(52)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
15	(53)	STATE FOUNDATION FUNDING	2,053,194,376
16	(54)	STUDENT GROWTH	37,690,144
17	(55)	SUPPLEMENTAL MILLAGE	10,000,000
18	(56)	SURPLUS COMMODITIES	1,125,065
19	(57)	TEACHER LICENSING/MENTORING	5,065,758
20	(58)	TEACHER OF THE YEAR	100,000
21	(59)	TEACHER RECRUITMENT	2,100,000
22	(60)	TEACHER RETIREMENT MATCHING	11,803,550
23	(61)	TECHNOLOGY GRANTS	3,602,678
24	(62)	TECHNOLOGY IMPROVEMENTS	500,000
25	(63)	WORKER'S COMPENSATION	450,000
26	(64)	YOUTH SHELTERS	165,000
27	(65)	ENHANCED TRANSPORTATION FUNDING	3,000,000
28	(66)	OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL	
29		<i>FACILITIES FUNDING AID PROGRAM</i>	<i>15,000,000</i>
30	(67)	<i>POSITIVE YOUTH DEVELOPMENT</i>	<i>\$ 5,000,000</i>
31		<i>TOTAL AMOUNT APPROPRIATED</i>	<i><u>\$2,967,284,943</u></i>

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

34 There is hereby established for the Department of Education - Arkansas Public  
35 School Computer Network for the 2016-2017 fiscal year, the following maximum  
36 number of regular employees.

			Maximum	Maximum Annual
	Item	Class	No. of	Salary Rate
	No.	Code	Employees	Fiscal Year
	No.	Code	Title	2016-2017
6	(1)	N047N	ADE APSCN DIRECTOR	GRADE N908
7	(2)	G012C	ADE ASSISTANT TO COMMISSIONER	GRADE C129
8	(3)	D007C	INFORMATION SYSTEMS MANAGER	GRADE C128
9	(4)	D006C	SOFTWARE ENGINEER LEAD	GRADE C128
10	(5)	D012C	DATABASE SPECIALIST	GRADE C127
11	(6)	G050C	ADE APSCN DIVISION MANAGER	GRADE C126
12	(7)	D105C	ADE STATE NETWORK ENGINEER	GRADE C126
13	(8)	D104C	ADE STATE SYSTEMS ADMINISTRATOR	GRADE C126
14	(9)	D037C	ADE APSCN APPLICATIONS MANAGER	GRADE C124
15	(10)	D042C	DATA WAREHOUSE SPECIALIST	GRADE C123
16	(11)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	GRADE C123
17	(12)	D055C	ADE APSCN FIELD ANALYST	GRADE C121
18	(13)	D063C	COMPUTER SUPPORT SPECIALIST	GRADE C119
19	(14)	A089C	ACCOUNTANT I	GRADE C116
20	(15)	D075C	SOFTWARE SUPPORT SPECIALIST	GRADE C116
21	(16)	C020C	STUDENT APPLICATIONS SPECIALIST	GRADE C116
22	(17)	C037C	ADMINISTRATIVE ANALYST	GRADE C115
23	(18)	D079C	COMPUTER SUPPORT TECHNICIAN	GRADE C115
24	(19)	D077C	HELP DESK SPECIALIST	GRADE C115
25	(20)	C056C	ADMINISTRATIVE SPECIALIST III	GRADE C112
26			MAX. NO. OF EMPLOYEES	51

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, 2017, the following:

ITEM	FISCAL YEAR
NO.	2016-2017

1	(01) REGULAR SALARIES	\$2,596,187
2	(02) PERSONAL SERVICES MATCHING	821,215
3	(03) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	19,245,839
5	(B) CONF. & TRAVEL	7,250
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	200,000
8	(E) DATA PROC.	0
9	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$23,170,491</u></u>

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12 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There  
 13 is hereby established for the Department of Education - Office of Education  
 14 Renewal Zones for the 2016-2017 fiscal year, the following maximum number of  
 15 regular employees.

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17			Maximum Annual
18		Maximum	Salary Rate
19	Item Class	No. of	Fiscal Year
20	<u>No. Code Title</u>	<u>Employees</u>	<u>2016-2017</u>
21	(1) E007C ADE OERZ DIRECTOR	1	GRADE C126
22	(2) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3	GRADE C122
23	(3) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
24	MAX. NO. OF EMPLOYEES	5	

25

26 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is  
 27 hereby appropriated, to the Department of Education, to be payable from the  
 28 Department of Education Public School Fund Account, for personal services,  
 29 operating expenses and grants by the Department of Education - Office of  
 30 Education Renewal Zones for the fiscal year ending June 30, 2017, the  
 31 following:

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33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2016-2017</u>
35	(01) REGULAR SALARIES	\$252,247
36	(02) PERSONAL SERVICES MATCHING	79,988

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	91,800
3	(B) CONF. & TRAVEL	13,000
4	(C) PROF. FEES	306,900
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	0
7	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>717,450</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$1,461,385</u>

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10 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND  
 12 FACILITIES MATCHING GRANT PROGRAM - RESTRICTIONS AND MATCHING FUNDS. (i) The  
 13 appropriation in this Act for the Broadband Facilities Matching Grant Program  
 14 shall not be used for Arkansas Research and Education Optical Network (AREON)  
 15 or Middle Mile Connectivity.

16 (ii) The funds appropriated for state match for the Broadband  
 17 Facilities Matching Grant Program in this Act shall be paid on a one-to-one  
 18 state/local matching basis.

19 The provisions of this section shall be in effect only from July 1, ~~2015~~  
 20 2016 through June 30, ~~2016~~ 2017.

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22 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND  
 24 FACILITIES MATCHING GRANT PROGRAM - CARRY FORWARD. Any unexpended balance of  
 25 monies allocated for the Broadband Facilities Matching Grant Program  
 26 remaining on June 30, ~~2016~~ 2017, in the Department of Education Public School  
 27 Fund Account shall be designated and retained for the Broadband Facilities  
 28 Matching Grant Program.

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

31 (1) Prior to June 30, ~~2016~~ 2017 the Agency shall by written statement  
 32 set forth its reason(s) for the need to carry forward said funding to the  
 33 Department of Finance and Administration Office of Budget;

34 (2) The Department of Finance and Administration Office of Budget shall  
 35 report to the Arkansas Legislative Council all amounts carried forward by the  
 36 September Arkansas Legislative Council or Joint Budget Committee meeting

1 which report shall include the name of the Agency, Board, Commission or  
2 Institution and the amount of the funding carried forward, the program name  
3 or line item, the funding source of that appropriation and a copy of the  
4 written request set forth in item (1) above;

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

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

17 The provisions of this section shall be in effect only from July 1, ~~2015~~  
18 2016 through June 30, ~~2016~~ 2017.

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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. FUND  
22 ALLOCATION. The appropriation for the Isolated Funding line item in Section 1  
23 of this Act may be fully funded. Any funding and appropriation for Isolated  
24 Funding that is not utilized shall be transferred to the appropriation for  
25 Special Needs Isolated Funding in Section 1 of this Act and shall be used  
26 there for fully funding each subsection (c) through (f) of Arkansas Code  
27 §6-20-604 on a pro rata basis until the available funds are exhausted. Pro  
28 rata basis is defined as providing each district qualifying for additional  
29 funding under subsections (c) through (f) a proportionate share based on how  
30 each district's additional funding amount bears to the total additional  
31 funding amounts for all qualifying districts. If any funding and  
32 appropriation remains after funding each subsection (c) through (f) of  
33 Arkansas Code §6-20-604 the remaining balance shall be used to fund the  
34 provisions of Arkansas Code §6-20-604 (h) on an equal basis until the  
35 available funds are exhausted.

36 The provisions of this section shall be in effect only from July 1, ~~2015~~

1 2016 through June 30, ~~2016~~ 2017.

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3 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO  
5 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School  
6 Districts appropriation in Section 1 of this Act, "school district" means a  
7 school district which contracts with a school district in an adjoining state  
8 for the education of some of the pupils within the Arkansas school district  
9 because the portion of the school district wherein such pupils live is  
10 completely separated from the remainder of the school district by a reservoir  
11 covering at least 12,000 acres at normal water level, and where to attend  
12 school in their own district, the pupils of said portion would be required to  
13 travel or to be transported a distance (measured by the nearest highway or  
14 road route) of more than 35 miles round trip and pass through another school  
15 district or districts. The Department of Education shall distribute the  
16 monies appropriated for Grants to School Districts in Section 1 of this Act  
17 to such school districts as reimbursement for expenses incurred in educating  
18 the pupils residing in the separated portion of the school district. The  
19 payments are to be limited to the amount of available appropriation. Such  
20 school districts shall file a request for reimbursement with the Department  
21 of Education and provide the Department of Education with such documentation  
22 as is deemed necessary.

23 The provisions of this section shall be in effect only from July 1, ~~2015~~  
24 2016 through June 30, ~~2016~~ 2017.

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26 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
28 EDUCATION SERVICES. The funds appropriated in the line item "Special  
29 Education Services" in Section 1 of this Act shall be used to provide  
30 extended year summer programs for handicapped students in need of such  
31 services, to provide special education services to foster children who are  
32 wards of the State, and to provide funds for the payment of salaries of  
33 special education supervisors. The Department of Education shall distribute  
34 such funds in the manner necessary to carry out the intent of this Section.

35 The provisions of this section shall be in effect only from July 1, ~~2015~~  
36 2016 through June 30, ~~2016~~ 2017.



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2 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
4 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each  
5 fiscal year thereafter, the Department of Education shall from time to time  
6 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the  
7 State, the amount of funds disbursed or approved to be disbursed by the  
8 Department of Education for desegregation expenses under any "Desegregation  
9 Settlement Agreement". Upon the receipt of such certification, the State  
10 Treasurer, after making those deductions as set out in Arkansas Code 19-5-  
11 202(b)(2)(B), shall also deduct from the net general revenues the amount  
12 certified and transfer this amount to the Department of Education Public  
13 School Fund Account there to be used exclusively for payment of or  
14 reimbursement for expenses incurred from the Department of Education Public  
15 School Fund Account under any "Desegregation Settlement Agreement".

16 The provisions of this section shall be in effect only from July 1, ~~2015~~  
17 2016 through June 30, ~~2016~~ 2017.

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19 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
21 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation  
22 Incentive shall be allocated in accordance with rules and regulations  
23 established by the State Board of Education.

24 The provisions of this section shall be in effect only from July 1, ~~2015~~  
25 2016 through June 30, ~~2016~~ 2017.

26  
27 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
29 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for  
30 Residential Centers/Juvenile Detention shall be allocated in accordance with  
31 rules and regulations established by the State Board of Education.

32 The provisions of this section shall be in effect only from July 1, ~~2015~~  
33 2016 through June 30, ~~2016~~ 2017.

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

1 AUTHORITY. The Commissioner of the Department of Education, with the approval  
2 of the Chief Fiscal Officer of the State and after approval by the Arkansas  
3 Legislative Council or Joint Budget Committee, is hereby authorized to  
4 request necessary appropriation transfers and any other budget related  
5 adjustments necessary within the Department of Education. Provided, however,  
6 that the Department of Education shall be limited to submitting no more than  
7 two transfer requests during any fiscal year.

8 Determining the maximum number of employees and the maximum amount of  
9 appropriation and general revenue funding for a state agency each fiscal year  
10 is the prerogative of the General Assembly. This is usually accomplished by  
11 delineating such maximums in the appropriation act(s) for a state agency and  
12 the general revenue allocations authorized for each fund and fund account by  
13 amendment to the Revenue Stabilization law. Further, the General Assembly  
14 has determined that the Department of Education may operate more efficiently  
15 if some flexibility is provided to the Commissioner of the Department of  
16 Education authorizing broad powers under the Transfer Authority provision  
17 herein. Therefore, it is both necessary and appropriate that the General  
18 Assembly maintain oversight by requiring prior approval of the Legislative  
19 Council or Joint Budget Committee as provided by this section. The  
20 requirement of approval by the Legislative Council or Joint Budget Committee  
21 is not a severable part of this section. If the requirement of approval by  
22 the Legislative Council or Joint Budget Committee is ruled unconstitutional  
23 by a court jurisdiction, this entire section is void.

24 The provisions of this section shall be in effect only from July 1, ~~2015~~  
25 2016 through June 30, ~~2016~~ 2017.

26  
27 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN  
29 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds  
30 authorized herein to the Department of Education for the Quiz Bowl each  
31 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each  
32 fiscal year may be made available to the Department of Education -  
33 Educational Television Division for its documented costs associated with the  
34 Quiz Bowl.

35 The provisions of this section shall be in effect only from July 1, ~~2015~~  
36 2016 through June 30, ~~2016~~ 2017.

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2 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
4 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item  
5 "Distressed School District Support" in Section 1 of this Act may be used for  
6 technical assistance offered by the Department of Education to school  
7 districts in academic distress that can include, but is not limited to,  
8 teacher specialists, principal specialists, and other personnel assigned by  
9 the department. These funds may also be used for alternative research-based  
10 technical assistance or programs. Criteria for selecting and approving  
11 alternative research-based technical assistance or programs are to be  
12 promulgated as a rule by the State Board of Education, provided that  
13 alternative staffing and/or compensation programs for teachers shall be  
14 approved by at least a majority of the teachers in the school, schools, or  
15 school district participating in the program.

16 The provisions of this section shall be in effect only from July 1, ~~2015~~  
17 2016 through June 30, ~~2016~~ 2017.

18  
19 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
21 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School  
22 Districts shall pay the teacher retirement employer contribution rate for any  
23 eligible employee in accordance with rules and regulations established by the  
24 Teacher Retirement Board of Directors. The appropriation contained herein for  
25 Teacher Retirement Matching each fiscal year shall be used to provide the  
26 employer matching for employees of the Cooperative Education Services Areas,  
27 Vocational Centers, Arkansas Easter Seals and the school operated by the  
28 Department of Correction.

29 The provisions of this section shall be in effect only from July 1, ~~2015~~  
30 2016 through June 30, ~~2016~~ 2017.

31  
32 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER  
34 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby  
35 authorized to expend a maximum of two percent (2%) of available funds for  
36 administration of the Better Chance Program. Up to 1.8% of available funds

1 shall be used to administer the program and to monitor program grantees to  
2 ensure compliance with programmatic standards. Prior to the utilization of  
3 the remaining 0.2% of available funds, the Department of Education shall seek  
4 prior review and approval of the Arkansas Legislative Council or Joint Budget  
5 Committee by providing a written request to include the following: a) the  
6 Department's reason(s) for the use of the funds and b) the amount of funds  
7 that will be expended. The Department may contract with the Division of Child  
8 Care and Early Childhood Education to administer the program.

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

22 The provisions of this section shall be in effect only from July 1, ~~2015~~  
23 2016 through June 30, ~~2016~~ 2017.

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

36 The provisions of this section shall be in effect only from July 1, ~~2015~~

1 2016 through June 30, ~~2016~~ 2017.

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3 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
5 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated  
6 for the Arkansas Better Chance for School Success Program remaining on June  
7 30, ~~2016~~ 2017, in the Department of Education Public School Fund Account  
8 shall be designated and retained for the Arkansas Better Chance for School  
9 Success Program.

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

12 (1) Prior to June 30, ~~2016~~ 2017 the Agency shall by written statement set  
13 forth its reason(s) for the need to carry forward said funding to the  
14 Department of Finance and Administration Office of Budget;

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

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

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

33 The provisions of this section shall be in effect only from July 1, ~~2015~~  
34 2016 through June 30, ~~2016~~ 2017.

35

36 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC  
2 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the  
3 Department of Finance and Administration may use up to eleven dollars and  
4 twenty cents (\$11.20) from each contribution made under Arkansas Code  
5 §6-17-1117(a) to offset the cost of health insurance premiums to eligible  
6 members electing to participate in the public school employees' health  
7 insurance program as a retiree.

8 The provisions of this section shall be in effect only from July 1, ~~2015~~  
9 2016 through June 30, ~~2016~~ 2017.

10  
11 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
13 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State  
14 shall transfer on his books and those of the State Treasurer and the State  
15 Auditor, the sum of two hundred thousand dollars (\$200,000) during each  
16 fiscal year from the Department of Education Public School Fund Account to  
17 the University of Arkansas at Little Rock Fund, specifically to provide  
18 funding for the Arkansas/STRIVE Program. The total amount of funds  
19 transferred each fiscal year pursuant to this section shall not be subject to  
20 any indirect costs by the University of Arkansas at Little Rock.

21 The provisions of this section shall be in effect only from July 1, ~~2015~~  
22 2016 through June 30, ~~2016~~ 2017.

23  
24 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH  
26 INSURANCE. The appropriation contained herein for Public School Employee  
27 Insurance each fiscal year shall be used to provide the state contribution  
28 for insurance premiums for employees of the Cooperative Education Services  
29 Areas, Vocational Centers, and the school operated by the Department of  
30 Correction who participate in the Arkansas Public School Life and Health  
31 Insurance Program.

32 The provisions of this section shall be in effect only from July 1, ~~2015~~  
33 2016 through June 30, ~~2016~~ 2017.

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

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

6 The provisions of this section shall be in effect only from July 1, ~~2015~~  
7 2016 through June 30, ~~2016~~ 2017.

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9 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
11 FUND RESTRICTIONS. No state funds shall be used for abortion referral in  
12 public schools, or for abortion services. Funds shall be expended in  
13 accordance with Arkansas Code Annotated §6-18-703.

14 The provisions of this section shall be in effect only from July 1, ~~2015~~  
15 2016 through June 30, ~~2016~~ 2017.

16

17 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
19 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.  
20 Effective for the plan year beginning January 1, ~~2015~~ 2016, if ninety-eight  
21 percent (98%) of the uniform rate of tax used in the calculation of State  
22 Foundation Funding Aid for fiscal year ~~2015-2016~~ 2016-2017 exceeds nine  
23 hundred twenty million seven hundred thirty-one thousand eight hundred  
24 nineteen dollars (\$920,731,819), the Department of Education shall pay up to  
25 fifteen million dollars (\$15,000,000) of the total increase over the nine  
26 hundred twenty million seven hundred thirty-one thousand eight hundred  
27 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the  
28 Department of Finance and Administration in additional health insurance  
29 contributions for eligible employees electing to participate in the public  
30 school employees' health insurance program administered by the State and  
31 Public School Life and Health Insurance Board.

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

1 The provisions of this section shall be in effect only from July 1, 2015  
2 2016 through June 30, ~~2016~~ 2017.

3  
4 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
6 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget  
7 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in  
8 addition to funds already being provided for the Arkansas Governor's School,  
9 to fund the appropriation authorized from general revenue for the Gifted and  
10 Talented program as appropriated in Section 1 herein. With this additional  
11 funding the duration of the Arkansas Governor's School shall be extended from  
12 four (4) weeks to six (6) weeks.

13 The provisions of this section shall be in effect only from July 1, 2015  
14 2016 through June 30, ~~2016~~ 2017.

15  
16 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST  
18 FUNDING PROVISION. Of the total amount appropriated for Technology Grants  
19 each fiscal year, an amount of not less than three million five thousand  
20 dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each  
21 fiscal year, shall be awarded through a grant or professional services  
22 contract for the EAST Initiative. Not less than one million dollars  
23 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or  
24 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST  
25 Initiatives shall be used for EAST infrastructure and personnel growth for  
26 the establishment of new programs. The remaining funding shall be used for  
27 existing EAST infrastructure, personnel, and operating expenses of the EAST  
28 Initiative. The EAST infrastructure grant or contract for personal services  
29 and operating expenses shall be awarded to an entity that has personnel or  
30 experience, or both, in implementing the EAST Initiative.

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

33  
34 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
36 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education



1 shall make available from the Intervention Block Grants appropriation  
2 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal  
3 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred  
4 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for  
5 grants up to \$1,000 each for students and chaperones, thirteen thousand five  
6 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one  
7 hundred thousand dollars (\$100,000) each fiscal year for the State History  
8 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year  
9 for a grant to the Arkansas Science Fair Association for grants to regional  
10 and the state science fairs. The Department of Education shall allocate  
11 General Revenue funding totaling no less than three hundred two thousand  
12 dollars (\$302,000) each fiscal year from the Department of Education Public  
13 School Fund Account to support the annual expenses of the Quiz Bowl, the  
14 Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and  
15 chaperones, Destination Imagination, the State History Day Competition, and  
16 the Arkansas Science Fair Association for grants to regional and state  
17 science fairs. The Department shall either expend or have committed for  
18 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,  
19 Inc., Destination Imagination, the State History Day Competition, and  
20 Arkansas Science Fair Association grants as authorized herein in order to  
21 fulfill the provisions of this section.

22 The provisions of this section shall be in effect only from July 1, ~~2015~~  
23 2016 through June 30, ~~2016~~ 2017.

24

25 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL  
27 SCHOOL DISTRICT ISOLATED - BASE FUNDING UNDER CERTAIN CIRCUMSTANCES.

28 (a) The amount of funding a school district receives under either § 6-  
29 20-604(c) and (h) or § 6-20-604(d) and (h) in the fiscal year 2014-2015 shall  
30 become the base year funding for fiscal year 2015-2016 if a school district  
31 meets the following requirements in the 2014-2015 fiscal year and all of the  
32 following requirements except for population density ratio in the 2015-2016  
33 fiscal year:

34 (1) Either:

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

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

1 (2) Section 6-20-601.

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

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

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

11 The provisions of this section shall be in effect only from July 1, ~~2015~~  
12 2016 through June 30, ~~2016~~ 2017.

13  
14 *SECTION 31. APPROPRIATION - ARKANSAS IMAGINATION LIBRARY. There is*  
15 *hereby appropriated, to the Department of Education, to be payable from the*  
16 *Department of Education Public School Fund Account, for operating expenses*  
17 *and grants and aid for a grant for the Arkansas Imagination Library to*  
18 *provide books to children from birth to five (5) years of age at no cost to*  
19 *families, regardless of income by the Department of Education for the fiscal*  
20 *year ending June 30, 2017, the sum of.....\$500,000.*

21  
22 *SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds*  
23 *authorized by this act shall be limited to the appropriation for such agency*  
24 *and funds made available by law for the support of such appropriations; and*  
25 *the restrictions of the State Procurement Law, the General Accounting and*  
26 *Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary*  
27 *Procedures and Restrictions Act, or their successors, and other fiscal*  
28 *control laws of this State, where applicable, and regulations promulgated by*  
29 *the Department of Finance and Administration, as authorized by law, shall be*  
30 *strictly complied with in disbursement of said funds.*

31  
32 *SECTION 33. LEGISLATIVE INTENT. It is the intent of the General*  
33 *Assembly that any funds disbursed under the authority of the appropriations*  
34 *contained in this act shall be in compliance with the stated reasons for*  
35 *which this act was adopted, as evidenced by the Agency Requests, Executive*  
36 *Recommendations and Legislative Recommendations contained in the budget*

1 manuals prepared by the Department of Finance and Administration, letters, or  
2 summarized oral testimony in the official minutes of the Arkansas Legislative  
3 Council or Joint Budget Committee which relate to its passage and adoption.  
4

5 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the  
6 General Assembly, that the Constitution of the State of Arkansas prohibits  
7 the appropriation of funds for more than a one (1) year period; that the  
8 effectiveness of this Act on July 1, 2016 is essential to the operation of  
9 the agency for which the appropriations in this Act are provided, and that in  
10 the event of an extension of the legislative session, the delay in the  
11 effective date of this Act beyond July 1, 2016 could work irreparable harm  
12 upon the proper administration and provision of essential governmental  
13 programs. Therefore, an emergency is hereby declared to exist and this Act  
14 being necessary for the immediate preservation of the public peace, health  
15 and safety shall be in full force and effect from and after July 1, 2016.  
16

17 */s/Joint Budget Committee*  
18

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20 **APPROVED: 05/09/2016**  
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