

1 State of Arkansas As *Engrossed*: S1/26/21 S3/22/21 S4/14/21 S4/19/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

SENATE BILL 158

4

5 By: Joint Budget Committee

6

7

## For An Act To Be Entitled

8

AN ACT TO MAKE AN APPROPRIATION FOR PUBLIC SCHOOL

9

FUND GRANTS FOR THE DEPARTMENT OF EDUCATION -

10

DIVISION OF ELEMENTARY AND SECONDARY EDUCATION -

11

PUBLIC SCHOOL FUND FOR THE FISCAL YEAR ENDING JUNE

12

30, 2022; AND FOR OTHER PURPOSES.

13

14

15

## Subtitle

16

AN ACT FOR THE DEPARTMENT OF EDUCATION -

17

DIVISION OF ELEMENTARY AND SECONDARY

18

EDUCATION - PUBLIC SCHOOL FUND

19

APPROPRIATION FOR THE 2021-2022 FISCAL

20

YEAR.

21

22

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

24

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

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

27 Education, to be payable from the Division of Elementary and Secondary

28 Education Public School Fund Account, for grants and aid to local school

29 districts and special programs of the Department of Education - Division of

30 Elementary and Secondary Education for the fiscal year ending June 30, 2022,

31 the following:

32

33 ITEM

FISCAL YEAR

34 NO.

2021-2022

35 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT

34,500,000

36 (02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE



1	HEALTH INSURANCE	35,000,000
2	(03) ADVANCED PLACEMENT INCENTIVE	1,275,000
3	(04) ALTERNATIVE LEARNING	32,876,331
4	(05) ARKANSAS EASTER SEALS	193,113
5	(06) ASSESSMENT/END OF LEVEL TESTING	20,250,189
6	(07) AT RISK	1,688,530
7	(08) BETTER CHANCE PROGRAM	\$114,000,000
8	(09) BONDED DEBT ASSISTANCE	28,455,384
9	(10) COMPUTER SCIENCE INITIATIVE	3,500,000
10	(11) CONSOLIDATION INCENTIVE	5,981,400
11	(12) CONTENT STANDARDS	161,000
12	(13) CONTENTS STANDARDS CURRICULUM	
13	FRAMEWORKS	50,000
14	(14) COOP EDUCATION TECH CENTERS	1,200,000
15	(15) COORDINATED SCHOOL HEALTH	2,000,000
16	(16) DECLINING ENROLLMENT	13,963,389
17	(17) DEPT OF CORRECTION	8,702,425
18	(18) DISTANCE LEARNING	4,760,000
19	(19) DISTANCE LEARNING OPERATIONS	7,575,000
20	(20) EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
21	(21) ECONOMIC EDUCATION	400,000
22	(22) EDUCATION SERVICE COOPERATIVES	6,129,270
23	(23) EIDT SPECIAL EDUCATION SERVICES	6,000,000
24	(24) ENGLISH LANGUAGE LEARNERS	18,484,481
25	(25) ENHANCED STUDENT ACHIEVEMENT FUNDING	241,186,503
26	(26) ENHANCED TRANSPORTATION FUNDING	6,000,000
27	(27) ESA MATCHING GRANT PROGRAM	5,300,000
28	(28) GENERAL FACILITIES FUNDING	8,100,000
29	(29) GIFTED & TALENTED	1,485,381
30	(30) GRANTS TO SCHOOL DISTRICTS	67,856
31	(31) HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
32	(32) INTERVENTION BLOCK GRANTS	302,000
33	(33) ISOLATED FUNDING	7,896,000
34	(34) LEADERSHIP ACADEMY-MASTER PRINCIPAL	1,400,000
35	(35) MASTER PRINCIPAL BONUS	175,000
36	(36) NATIONAL BOARD OF PROF TEACHING	

1	STANDARDS	18,738,000
2	(37) NON-TRADITIONAL LICENSURE	50,000
3	(38) OE CHARTER FAC FUNDING AID PROGRAM	9,075,000
4	(39) POSITIVE YOUTH DEVELOPMENT GRANTS	5,000,000
5	(40) PROFESSIONAL DEVELOPMENT FUNDING	35,175,911
6	(41) PUBLIC SCHOOL EMPLOYEE INSURANCE	57,446,400
7	(42) R.I.S.E. ARKANSAS	970,000
8	(43) RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
9	(44) SCHOOL FACILITY JOINT USE SUPPORT	500,000
10	(45) SCHOOL FOOD SERVICES	1,650,000
11	(46) SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
12	(47) SCHOOL FUNDING CONTINGENCY	25,000,000
13	(48) SCHOOL RECOGNITION	7,000,000
14	(49) SCHOOL WORKER DEFENSE	390,000
15	(50) SERIOUS OFFENDER	1,716,859
16	(51) SMART START/SMART STEP	10,666,303
17	(52) SPECIAL EDUCATION SERVICES	2,802,527
18	(53) SPECIAL EDUCATION-CATASTROPHIC	13,500,000
19	(54) SPECIAL NEEDS ISOLATED FUNDING	3,000,000
20	(55) STATE FOUNDATION FUNDING	2,136,100,941
21	(56) STUDENT GROWTH	37,690,144
22	(57) SUPPLEMENTAL MILLAGE	10,000,000
23	(58) SURPLUS COMMODITIES	1,125,065
24	(59) TEACHER LICENSING/MENTORING	6,065,758
25	(60) TEACHER OF THE YEAR	100,000
26	(61) TEACHER RECRUITMENT	2,100,000
27	(62) TEACHER RETIREMENT MATCHING	13,914,003
28	(63) TECHNOLOGY GRANTS	3,602,678
29	(64) TECHNOLOGY IMPROVEMENTS	500,000
30	(65) WORKER'S COMPENSATION	450,000
31	(66) YOUTH SHELTERS	165,000
32	(67) TEACHER SALARY EQUALIZATION	<u>25,000,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$3,082,396,998</u>

34

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

36 There is hereby established for the Department of Education - Division of

1 Elementary and Secondary Education - Arkansas Public School Computer Network  
 2 for the 2021-2022 fiscal year, the following maximum number of regular  
 3 employees.

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2021-2022
9	(1) D105C ADE STATE NETWORK ENGINEER	1	GRADE IT09
10	(2) D104C ADE STATE SYSTEMS ADMINISTRATOR	1	GRADE IT08
11	(3) D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
12	(4) D006C SOFTWARE ENGINEER LEAD	1	GRADE IT08
13	(5) D042C DATA WAREHOUSE SPECIALIST	1	GRADE IT06
14	(6) D037C ADE APSCN APPLICATIONS MANAGER	3	GRADE IT05
15	(7) D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
16	(8) D055C ADE APSCN FIELD ANALYST	25	GRADE IT04
17	(9) D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
18	(10) N047N ADE APSCN DIRECTOR	1	GRADE GS15
19	(11) G012C ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
20	(12) G050C ADE APSCN DIVISION MANAGER	3	GRADE GS10
21	(13) A089C ACCOUNTANT I	1	GRADE GS07
22	(14) C020C STUDENT APPLICATIONS SPECIALIST	4	GRADE GS06
23	(15) D077C HELP DESK SPECIALIST	2	GRADE GS05
24	(16) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
25	MAX. NO. OF EMPLOYEES	50	

27 SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

28 There is hereby appropriated, to the Department of Education, to be payable  
 29 from the Division of Elementary and Secondary Education Public School Fund  
 30 Account, for personal services and operating expenses of the Department of  
 31 Education - Division of Elementary and Secondary Education - Arkansas Public  
 32 School Computer Network for the fiscal year ending June 30, 2022, the  
 33 following:

ITEM	FISCAL YEAR
NO.	2021-2022

1	(01) REGULAR SALARIES	\$2,784,581
2	(02) PERSONAL SERVICES MATCHING	902,656
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>\$23,440,326</u></u>

11

12 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There  
 13 is hereby established for the Department of Education - Division of  
 14 Elementary and Secondary Education - Office of Education Renewal Zones for  
 15 the 2021-2022 fiscal year, the following maximum number of regular employees.

16

17			Maximum Annual
18		Maximum	Salary Rate
19	Item Class	No. of	Fiscal Year
20	<u>No. Code Title</u>	<u>Employees</u>	<u>2021-2022</u>
21	(1) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3	GRADE GS08
22	(2) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
23	MAX. NO. OF EMPLOYEES	4	

24

25 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is  
 26 hereby appropriated, to the Department of Education, to be payable from the  
 27 Division of Elementary and Secondary Education Public School Fund Account,  
 28 for personal services, operating expenses, and grants by the Department of  
 29 Education - Division of Elementary and Secondary Education - Office of  
 30 Education Renewal Zones for the fiscal year ending June 30, 2022, the  
 31 following:

32

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2021-2022</u>
35	(01) REGULAR SALARIES	\$168,180
36	(02) PERSONAL SERVICES MATCHING	59,811

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	25,000
3	(B) CONF. & TRAVEL	3,000
4	(C) PROF. FEES	0
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	0
7	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>1,101,150</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,357,141</u></u>

9

10 SECTION 6. APPROPRIATION - EDUCATOR COMPENSATION REFORM GRANTS AND AID.

11 There is hereby appropriated, to the Department of Education, to be payable

12 from the Division of Elementary and Secondary Education Public School Fund

13 Account, for grants and aid to provide additional funding to school districts

14 currently below the statutory minimum teacher salary schedule by the

15 Department of Education - Division of Elementary and Secondary Education -

16 Educator Compensation Reform Grants and Aid for the fiscal year ending June

17 30, 2022, the following:

18		
19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2021-2022</u>
21	(01) EDUCATOR COMPENSATION REFORM PROGRAM	<u><u>\$60,000,000</u></u>

22

23 SECTION 7. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS

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

25 *Education, to be payable from the Division of Elementary and Secondary*

26 *Education Public School Fund Account, for grants and aid to local school*

27 *districts and special programs of the Department of Education - Division of*

28 *Elementary and Secondary Education which shall be supplemental and in*

29 *addition to those funds appropriated in Section 1 of Act 154 of 2020, the*

30 *following:*

31		
32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2020-2021</u>
34	(01) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
35	HEALTH INSURANCE	<u><u>\$20,000,000</u></u>

36

SECTION 8. 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 Division of Elementary and Secondary Education Public School Fund Account, for grants and aid to local school districts and special programs of the Department of Education - Division of Elementary and Secondary Education which shall be supplemental and in addition to those funds appropriated in Section 1 of Act 154 of 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
HEALTH INSURANCE	<u>\$20,000,000</u>

SECTION 9. 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, ~~2021~~ 2022, in the Division of Elementary and Secondary 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, ~~2021~~ 2022 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.

1 for which the carry forward was originally requested no later than thirty  
2 (30) days prior to the time the Agency, Board, Commission or Institution  
3 presents its budget request to the Arkansas Legislative Council/Joint Budget  
4 Committee; and

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

9 The provisions of this section shall be in effect only from July 1, ~~2020~~  
10 2021 through June 30, ~~2021~~ 2022.

11

12 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
14 ALLOCATION. The appropriation for the Isolated Funding line item in the  
15 Grants and Aid to Local School Districts and Special Programs section of this  
16 Act may be fully funded. Any funding and appropriation for Isolated Funding  
17 that is not utilized shall be transferred to the appropriation for Special  
18 Needs Isolated Funding in the Grants and Aid to Local School Districts and  
19 Special Programs section of this Act and shall be used there for fully  
20 funding each subsection (c) through (f) of Arkansas Code § 6-20-604 on a pro  
21 rata basis until the available funds are exhausted. Pro rata basis is defined  
22 as providing each district qualifying for additional funding under  
23 subsections (c) through (f) a proportionate share based on how each  
24 district's additional funding amount bears to the total additional funding  
25 amounts for all qualifying districts. If any funding and appropriation  
26 remains after funding each subsection (c) through (f) of Arkansas Code § 6-  
27 20-604 the remaining balance shall be used to fund the provisions of Arkansas  
28 Code § 6-20-604 (h) on an equal basis until the available funds are  
29 exhausted.

30 The provisions of this section shall be in effect only from July 1, ~~2020~~  
31 2021 through June 30, ~~2021~~ 2022.

32

33 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO  
35 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School  
36 Districts appropriation in the Grants and Aid to Local School Districts and



1 Special Programs section of this Act, "school district" means a school  
2 district which contracts with a school district in an adjoining state for the  
3 education of some of the pupils within the Arkansas school district because  
4 the portion of the school district wherein such pupils live is completely  
5 separated from the remainder of the school district by a reservoir covering  
6 at least 12,000 acres at normal water level, and where to attend school in  
7 their own district, the pupils of said portion would be required to travel or  
8 to be transported a distance (measured by the nearest highway or road route)  
9 of more than 35 miles round trip and pass through another school district or  
10 districts. The Department of Education shall distribute the monies  
11 appropriated for Grants to School Districts in the Grants and Aid to Local  
12 School Districts and Special Programs section of this Act to such school  
13 districts as reimbursement for expenses incurred in educating the pupils  
14 residing in the separated portion of the school district. The payments are to  
15 be limited to the amount of available appropriation. Such school districts  
16 shall file a request for reimbursement with the Department of Education and  
17 provide the Department of Education with such documentation as is deemed  
18 necessary.

19 The provisions of this section shall be in effect only from July 1, ~~2020~~  
20 2021 through June 30, ~~2021~~ 2022.

21

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

32 The provisions of this section shall be in effect only from July 1, ~~2020~~  
33 2021 through June 30, ~~2021~~ 2022.

34

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

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

4 The provisions of this section shall be in effect only from July 1, ~~2020~~  
5 2021 through June 30, ~~2021~~ 2022.

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

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

12 The provisions of this section shall be in effect only from July 1, ~~2020~~  
13 2021 through June 30, ~~2021~~ 2022.

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

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

26 Determining the maximum number of employees and the maximum amount of  
27 appropriation and general revenue funding for a state agency each fiscal year  
28 is the prerogative of the General Assembly. This is usually accomplished by  
29 delineating such maximums in the appropriation act(s) for a state agency and  
30 the general revenue allocations authorized for each fund and fund account by  
31 amendment to the Revenue Stabilization law. Further, the General Assembly  
32 has determined that the Department of Education may operate more efficiently  
33 if some flexibility is provided to the ~~Commissioner~~ Secretary of the  
34 Department of Education authorizing broad powers under the Transfer Authority  
35 provision herein. Therefore, it is both necessary and appropriate that the  
36 General Assembly maintain oversight by requiring prior approval of the

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

6 The provisions of this section shall be in effect only from July 1, ~~2020~~  
7 2021 through June 30, ~~2021~~ 2022.

8

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

17 The provisions of this section shall be in effect only from July 1, ~~2020~~  
18 2021 through June 30, ~~2021~~ 2022.

19

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

30 The provisions of this section shall be in effect only from July 1, ~~2020~~  
31 2021 through June 30, ~~2021~~ 2022.

32

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

1 administration of the Better Chance Program. Up to 1.8% of available funds  
2 shall be used to administer the program and to monitor program grantees to  
3 ensure compliance with programmatic standards. Prior to the utilization of  
4 the remaining 0.2% of available funds, the Department of Education shall seek  
5 prior review and approval of the Arkansas Legislative Council or Joint Budget  
6 Committee by providing a written request to include the following: a) the  
7 Department's reason(s) for the use of the funds and b) the amount of funds  
8 that will be expended. The Department may contract with the Division of  
9 Elementary and Secondary Education to administer the program.

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

23 The provisions of this section shall be in effect only from July 1, ~~2020~~  
24 2021 through June 30, ~~2021~~ 2022.

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

1 The provisions of this section shall be in effect only from July 1, ~~2020~~  
2 2021 through June 30, ~~2021~~ 2022.

3  
4 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
6 FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated  
7 for the Arkansas Better Chance for School Success Program remaining on June  
8 30, ~~2021~~ 2022, in the Division of Elementary and Secondary Education Public  
9 School Fund Account shall be designated and retained for the Arkansas Better  
10 Chance for School Success Program.

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

13 (1) Prior to June 30, ~~2021~~ 2022 the Agency shall by written statement set  
14 forth its reason(s) for the need to carry forward said funding to the  
15 Department of Finance and Administration Office of Budget;

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

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

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

34 The provisions of this section shall be in effect only from July 1, ~~2020~~  
35 2021 through June 30, ~~2021~~ 2022.

36

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

8 The provisions of this section shall be in effect only from July 1, ~~2020~~  
9 2021 through June 30, ~~2021~~ 2022.

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 Division of Elementary and Secondary Education Public  
17 School Fund Account to the University of Arkansas at Little Rock Fund,  
18 specifically to provide funding for the Arkansas/STRIVE Program. The total  
19 amount of funds transferred each fiscal year pursuant to this section shall  
20 not be subject to any indirect costs by the University of Arkansas at Little  
21 Rock.

22 The provisions of this section shall be in effect only from July 1, ~~2020~~  
23 2021 through June 30, ~~2021~~ 2022.

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

33 The provisions of this section shall be in effect only from July 1, ~~2020~~  
34 2021 through June 30, ~~2021~~ 2022.

35  
36 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
2 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide  
3 funding for Alternative Learning Environment Programs in excess of the  
4 regulatory limitation of six (6) hours per day for those programs that  
5 operate more than twelve hours per day, in a proportionate manner and upon  
6 special request to the Department of Education.

7 The provisions of this section shall be in effect only from July 1, ~~2020~~  
8 2021 through June 30, ~~2021~~ 2022.

9

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

15 The provisions of this section shall be in effect only from July 1, ~~2020~~  
16 2021 through June 30, ~~2021~~ 2022.

17

18 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

20 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.

21 Effective for the plan year beginning January 1, ~~2020~~ 2021, if ninety-eight  
22 percent (98%) of the uniform rate of tax used in the calculation of State  
23 Foundation Funding Aid for fiscal year ~~2020-2021~~ 2021-2022 exceeds nine  
24 hundred twenty million seven hundred thirty-one thousand eight hundred  
25 nineteen dollars (\$920,731,819), the Department of Education shall pay up to  
26 fifteen million dollars (\$15,000,000) of the total increase over the nine  
27 hundred twenty million seven hundred thirty-one thousand eight hundred  
28 nineteen dollars (\$920,731,819) to the Employee Benefits Division in  
29 additional health insurance contributions for eligible employees electing to  
30 participate in the public school employees' health insurance program  
31 administered by the State and 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, ~~2020~~  
2 2021 through June 30, ~~2021~~ 2022.

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 the Grants and Aid to Local School  
11 Districts and Special Programs section herein. With this additional funding  
12 either the department shall increase the number of grants for AEGIS summer  
13 enrichment programs, or the duration of the Arkansas Governor's School shall  
14 be extended from four (4) weeks to six (6) weeks.

15 The provisions of this section shall be in effect only from July 1, ~~2020~~  
16 2021 through June 30, ~~2021~~ 2022.

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

33 The provisions of this section shall be in effect only from July 1, ~~2020~~  
34 2021 through June 30, ~~2021~~ 2022.

35  
36 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
2 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education  
3 shall make available from the Intervention Block Grants appropriation  
4 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal  
5 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred  
6 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for  
7 grants up to \$1,000 each for students and chaperones, thirteen thousand five  
8 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one  
9 hundred thousand dollars (\$100,000) each fiscal year for the State History  
10 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year  
11 for a grant to the Arkansas Science Fair Association for grants to regional  
12 and the state science fairs. The Department of Education shall allocate  
13 General Revenue funding totaling no less than three hundred two thousand  
14 dollars (\$302,000) each fiscal year from the Division of Elementary and  
15 Secondary Education Public School Fund Account to support the annual expenses  
16 of the Quiz Bowl, the Creativity in Arkansas, Inc. for grants up to \$1,000  
17 each for students and chaperones, Destination Imagination, the State History  
18 Day Competition, and the Arkansas Science Fair Association for grants to  
19 regional and state science fairs. The Department shall either expend or have  
20 committed for expenditure the monies allocated for the Quiz Bowl, Creativity  
21 in Arkansas, Inc., Destination Imagination, the State History Day  
22 Competition, and Arkansas Science Fair Association grants as authorized  
23 herein in order to fulfill the provisions of this section.

24 The provisions of this section shall be in effect only from July 1, ~~2020~~  
25 2021 through June 30, ~~2021~~ 2022.

26  
27 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
29 PROFESSIONAL DEVELOPMENT.

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

36 (b)(1) The Department of Education shall annually report the following

1 information concerning the Arkansas Online Professional Development  
2 Initiative under § 6-17-707:

- 3 (1) Annual expenditure information;
- 4 (2) Statistical information pertaining to users of the  
5 initiative;
- 6 (3) Course offerings;
- 7 (4) Course hours completed; and
- 8 (5) Certificates awarded.

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

- 11 (1) Governor;
- 12 (2) Legislative Council or, if the General Assembly is  
13 in session, the Joint Budget Committee;
- 14 (3) Senate Committee on Education;
- 15 (4) House Committee on Education; and
- 16 (5) Department of Finance and Administration.

17 (c) The provisions of this section shall be in effect only from July 1,  
18 ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

19

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

23 (a)(1) Of the appropriation and funding for the NSL MATCHING GRANT  
24 PROGRAM Item in the Grants and Aid to Local School Districts and Special  
25 Programs section of this Act, five million three hundred thousand dollars  
26 (\$5,300,000) shall be set aside by the Department of Education and shall be  
27 used for school district expenditures for evidence-based programs to improve  
28 academic achievement of identified national school lunch students.

29 (2) These programs shall be limited to:

- 30 (A) Tutors as set out in § 6-20-2305(b)(4)(C)(i)(b)(4);
- 31 (B) Before-school academic programs and after-school academic  
32 programs, including transportation to and from the programs  
33 under § 6-20-2305(b)(4)(C)(i)(b)(2); and
- 34 (C) Prekindergarten programs under § 6-20-2305(b)(4)(C)(i)(b)(3).

35 (b)(1) Set aside funds authorized in subsection (a) of this section  
36 shall be distributed to school districts on a dollar for dollar matching

1 basis of school district expenditures for programs under subsection (a) of  
2 this section on a pro rata basis until the available funds are exhausted.

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

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

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

13 (e) The provisions of this section shall be in effect only from July 1,  
14 ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

15

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

23 The provisions of this section shall be in effect only from July 1,  
24 ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

25

26 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR  
28 COMPENSATION REFORM SUB-FUND. ~~Upon the effective date of this Act, or as~~  
29 ~~soon thereafter as practical, the Arkansas State Treasurer shall transfer~~  
30 ~~\$60,000,000 from the Educational Adequacy Fund to the Public School Fund to~~  
31 ~~be used solely for the implementation of the Educator Compensation Reform~~  
32 ~~Program.~~ Funds shall be kept separate from all other monies in the Public  
33 School Fund and are to be utilized over a four-year period, beginning July 1,  
34 2019, to assist school districts in ensuring that all educators in Arkansas  
35 public school districts receive a minimum annual salary of \$36,000 by July 1,  
36 2023. The Educator Compensation Reform Fund shall not be considered part of

1 a school district's net legal balance or net legal balance revenues for the  
2 purpose of meeting the requirements on limitation of fund balances pursuant  
3 to A.C.A. 6-20-2210. The Arkansas Department of Education shall promulgate  
4 rules to administer this section.

5 The provisions of this section shall be in effect only from July 1,  
6 ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

7  
8 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ENHANCED  
10 STUDENT ACHIEVEMENT FUNDING NAME CHANGE. Any appropriation titled "ENHANCED  
11 STUDENT ACHIEVEMENT FUNDING" or abbreviated as "ESA" as named by SB605 of  
12 2019 may also be known as "NATIONAL SCHOOL LUNCH" funding or abbreviated as  
13 "NSL" and shall be used for the same purposes as set out in law.

14 The provisions of this section shall be in effect only from July 1, ~~2020~~  
15 2021 through June 30, ~~2021~~ 2022.

16  
17 SECTION 35. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
18 authorized by this act shall be limited to the appropriation for such agency  
19 and funds made available by law for the support of such appropriations; and  
20 the restrictions of the State Procurement Law, the General Accounting and  
21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
22 Procedures and Restrictions Act, or their successors, and other fiscal  
23 control laws of this State, where applicable, and regulations promulgated by  
24 the Department of Finance and Administration, as authorized by law, shall be  
25 strictly complied with in disbursement of said funds.

26  
27 SECTION 36. LEGISLATIVE INTENT. It is the intent of the General  
28 Assembly that any funds disbursed under the authority of the appropriations  
29 contained in this act shall be in compliance with the stated reasons for  
30 which this act was adopted, as evidenced by the Agency Requests, Executive  
31 Recommendations and Legislative Recommendations contained in the budget  
32 manuals prepared by the Department of Finance and Administration, letters, or  
33 summarized oral testimony in the official minutes of the Arkansas Legislative  
34 Council or Joint Budget Committee which relate to its passage and adoption.

35  
36 SECTION 37. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly, that the Constitution of the State of Arkansas prohibits  
2 the appropriation of funds for more than a one (1) year period; that the  
3 effectiveness of this Act on July 1, 2021, with the exception that section 7  
4 of this Act shall be effective upon passage and approval, is essential to the  
5 operation of the agency for which the appropriations in this Act are  
6 provided, and that in the event of an extension of the legislative session,  
7 the delay in the effective date of this Act beyond July 1, 2021, with the  
8 exception that section 7 of this Act shall be effective upon passage and  
9 approval, could work irreparable harm upon the proper administration and  
10 provision of essential governmental programs. Therefore, an emergency is  
11 hereby declared to exist and this Act being necessary for the immediate  
12 preservation of the public peace, health and safety shall be in full force  
13 and effect from and after July 1, 2021, with the exception that section 7 of  
14 this Act shall be effective upon passage and approval.

15  
16 /s/Joint Budget Committee

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19 **APPROVED: 4/28/21**  
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