

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: S2/14/13 S3/12/13 S3/25/13 S4/1/13 S4/5/13 S4/8/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

SENATE BILL 233

5 By: Joint Budget Committee

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, 2014; AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
17 APPROPRIATION FOR THE 2013-2014 FISCAL
18 YEAR.

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

23 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
24 Department of Education, to be payable from the Department of Education
25 Public School Fund Account, for grants and aid to local school districts and
26 special programs of the Department of Education for the fiscal year ending
27 June 30, 2014, the following:

29 ITEM	FISCAL YEAR
30 NO.	2013-2014
31 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$34,500,000
32 (02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
33 HEALTH INSURANCE	15,000,000
34 (03) ADVANCED PLACEMENT INCENTIVE	825,000
35 (04) ALTERNATIVE LEARNING	23,318,012
36 (05) ARKANSAS EASTER SEALS	193,113



1	(06)	ASSESSMENT/END OF COURSE TESTING	24,223,861
2	(07)	AT RISK	1,688,530
3	(08)	BETTER CHANCE PROGRAM	111,000,000
4	(09)	BONDED DEBT ASSISTANCE	28,455,384
5	(10)	CONSOLIDATION INCENTIVE	3,760,200
6	(11)	CONTENT STANDARDS	161,000
7	(12)	CONTENTS STANDARDS CURRICULUM	
8		FRAMEWORKS	50,000
9	(13)	COOP EDUCATION TECH CENTERS	1,200,000
10	(14)	COORDINATED SCHOOL HEALTH	2,000,000
11	(15)	COURT ORDERED DESEGREGATION	69,814,372
12	(16)	CRIMINAL BACKGROUND CHECKS	25,000
13	(17)	DECLINING ENROLLMENT	13,963,389
14	(18)	DEPT OF CORRECTION	6,220,892
15	(19)	DISTANCE LEARNING	4,760,000
16	(20)	DISTANCE LEARNING OPERATIONS	7,575,000
17	(21)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
18	(22)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
19	(23)	ECONOMIC EDUCATION	350,000
20	(24)	EDUCATION SERVICE COOPERATIVES	6,129,270
21	(25)	ENGLISH LANGUAGE LEARNERS	13,075,049
22	(26)	GENERAL FACILITIES FUNDING	8,100,000
23	(27)	GIFTED & TALENTED	1,335,381
24	(28)	GRANTS TO SCHOOL DISTRICTS	67,856
25	(29)	HOME SCHOOL TESTING	250,000
26	(30)	HUMAN DEVELOPMENT CENTER EDUCATION	
27		AID	526,150
28	(31)	INTERVENTION BLOCK GRANTS	302,000
29	(32)	ISOLATED FUNDING	7,896,000
30	(33)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
31	(34)	MASTER PRINCIPAL BONUS	200,000
32	(35)	NATIONAL BOARD OF PROF TEACHING	
33		STANDARDS	13,516,160
34	(36)	NATIONAL SCHOOL LUNCH	200,253,906
35	(37)	NON-TRADITIONAL LICENSURE	50,000
36	(38)	PROFESSIONAL DEVELOPMENT FUNDING	24,692,402

1	(39)	PUBLIC SCHOOL EMPLOYEE INSURANCE	37,273,600
2	(40)	RESIDENTIAL CENTERS/JUVENILE	
3		DETENTION	16,345,087
4	(41)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
5	(42)	SCHOOL FOOD SERVICES	1,650,000
6	(43)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
7	(44)	SCHOOL FUNDING CONTINGENCY	25,000,000
8	(45)	SCHOOL WORKER DEFENSE	390,000
9	(46)	SERIOUS OFFENDER	1,716,859
10	(47)	SMART START/SMART STEP	10,666,303
11	(48)	SPECIAL EDUCATION SERVICES	2,802,527
12	(49)	SPECIAL EDUCATION-CATASTROPHIC	12,900,000
13	(50)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
14	(51)	STATE FOUNDATION FUNDING	1,923,089,661
15	(52)	STUDENT GROWTH	28,500,000
16	(53)	SUPPLEMENTAL MILLAGE	10,000,000
17	(54)	SURPLUS COMMODITIES	1,349,810
18	(55)	TEACHER LICENSING/MENTORING	5,008,758
19	(56)	TEACHER OF THE YEAR	100,000
20	(57)	TEACHER RECRUITMENT	2,100,000
21	(58)	TEACHER RETIREMENT MATCHING	10,102,189
22	(59)	TECHNOLOGY GRANTS	3,602,678
23	(60)	TECHNOLOGY IMPROVEMENTS	500,000
24	(61)	WORKER'S COMPENSATION	450,000
25	(62)	<i>YOUTH SHELTERS</i>	<i>165,000</i>
26	(63)	<i>SCHOOL, CAMPUS AND CHILD SAFETY AND</i>	
27		<i>ACTIVE SHOOTER/SAFE SCHOOLS INITIATIVES</i>	<i>691,500</i>
28	(64)	<i>REG. COMMUNITY ALTERNATIVE LEARNING</i>	
29		<i>ENVIRONMENT CENTER-TRANSPORTATION</i>	<i>70,000</i>
30	(65)	<i>REG. COMMUNITY ALTERNATIVE LEARNING</i>	
31		<i>ENVIRONMENT CENTER-TRUANCY OFFICERS</i>	<u><i>275,000</i></u>
32		<i>TOTAL AMOUNT APPROPRIATED</i>	<u><i>\$2,741,249,819</i></u>

33

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 2013-2014 fiscal year, the following maximum

1 number of regular employees.

2

3			Maximum Annual
4			Salary Rate
5	Item Class	No. of	Fiscal Year
6	No. Code Title	Employees	2013-2014
7	(1) N047N ADE APSCN DIRECTOR	1	GRADE N908
8	(2) G012C ADE ASSISTANT TO COMMISSIONER	2	GRADE C129
9	(3) G050C ADE APSCN DIVISION MANAGER	2	GRADE C126
10	(4) D037C ADE APSCN APPLICATIONS MANAGER	5	GRADE C124
11	(5) D038C SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
12	(6) D050C SECURITY ANALYST	1	GRADE C122
13	(7) D044C SYSTEMS ANALYST	1	GRADE C122
14	(8) D055C ADE APSCN FIELD ANALYST	25	GRADE C121
15	(9) C020C STUDENT APPLICATIONS SPECIALIST	5	GRADE C116
16	(10) A091C FISCAL SUPPORT ANALYST	1	GRADE C115
17	(11) D077C HELP DESK SPECIALIST	2	GRADE C115
18	(12) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
19	MAX. NO. OF EMPLOYEES	48	

20

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

22 There is hereby appropriated, to the Department of Education, to be payable
 23 from the Department of Education Public School Fund Account, for personal
 24 services and operating expenses of the Department of Education - Arkansas
 25 Public School Computer Network for the fiscal year ending June 30, 2014, the
 26 following:

27

28	ITEM	FISCAL YEAR
29	NO.	2013-2014
30	(01) REGULAR SALARIES	\$2,328,377
31	(02) PERSONAL SERVICES MATCHING	791,477
32	(03) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	19,245,839
34	(B) CONF. & TRAVEL	7,250
35	(C) PROF. FEES	0
36	(D) CAP. OUTLAY	200,000

1	(E) DATA PROC.	0
2	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$22,872,943</u>

4

5 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 6 is hereby established for the Department of Education - Office of Education
 7 Renewal Zones for the 2013-2014 fiscal year, the following maximum number of
 8 regular employees.

9

10		Maximum Annual
11		Salary Rate
12	Item Class	Fiscal Year
13	No. Code Title	2013-2014
14	(1) E007C ADE OERZ DIRECTOR	1 GRADE C126
15	(2) E020C ADE OERZ TECHNICAL ASSIST SPECIALIST	3 GRADE C122
16	(3) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u> GRADE C112
17	MAX. NO. OF EMPLOYEES	5

18

19 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 20 hereby appropriated, to the Department of Education, to be payable from the
 21 Department of Education Public School Fund Account, for personal services,
 22 operating expenses and grants by the Department of Education - Office of
 23 Education Renewal Zones for the fiscal year ending June 30, 2014, the
 24 following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2013-2014</u>
28	(01) REGULAR SALARIES	\$259,688
29	(02) PERSONAL SERVICES MATCHING	86,535
30	(03) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	91,800
32	(B) CONF. & TRAVEL	13,000
33	(C) PROF. FEES	306,900
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	0
36	(04) EDUCATIONAL RENEWAL ZONE GRANTS	<u>717,450</u>

1 TOTAL AMOUNT APPROPRIATED \$1,475,373

2

3 SECTION 6. APPROPRIATION - SCHOOL RECOGNITION PROGRAM. There is hereby
4 appropriated, to the Department of Education, to be payable from the
5 Department of Education Public School Fund Account, for the payment of
6 financial awards to public schools through the Arkansas School Recognition
7 Program for the fiscal year ending June 30, 2014, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2013-2014</u>
11 (01) ARKANSAS SCHOOL RECOGNITION PROGRAM	<u>\$ 10,000,000</u>

12

13 SECTION 7. APPROPRIATION - INTERNATIONAL BACCALAUREATE PROGRAM. There
14 is hereby appropriated, to the Department of Education, to be payable from
15 the Department of Education Public School Fund Account, for grants and aid to
16 local school districts for the International Baccalaureate Program by the
17 Department of Education for the fiscal year ending June 30, 2014, the sum of
18 \$75,000.

19

20 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MANDATORY
22 FUNDING PROVISION. The Department of Education shall expend or have
23 committed for expenditure funds in the Department of Education Public School
24 Fund Account in the amount of seventy-five thousand dollars (\$75,000) to
25 provide funding for grants and aid to local school districts for the
26 International Baccalaureate Program as appropriated herein.

27 The provisions of this section shall be in effect only from July 1,
28 2013 through June 30, 2014.

29

30 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
32 ALLOCATION. The appropriation for the Isolated Funding line item in Section 1
33 of this Act may be fully funded. Any funding and appropriation for Isolated
34 Funding that is not utilized shall be transferred to the appropriation for
35 Special Needs Isolated Funding in Section 1 of this Act and shall be used
36 there for fully funding each subsection (c) through (f) of Arkansas Code

1 §6-20-604 on a pro rata basis until the available funds are exhausted. Pro
2 rata basis is defined as providing each district qualifying for additional
3 funding under subsections (c) through (f) a proportionate share based on how
4 each district's additional funding amount bears to the total additional
5 funding amounts for all qualifying districts. If any funding and
6 appropriation remains after funding each subsection (c) through (f) of
7 Arkansas Code §6-20-604 the remaining balance shall be used to fund the
8 provisions of Arkansas Code §6-20-604 (h) on an equal basis until the
9 available funds are exhausted.

10 The provisions of this section shall be in effect only from July 1, ~~2012~~
11 2013 through June 30, ~~2013~~ 2014.

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

33 The provisions of this section shall be in effect only from July 1, ~~2012~~
34 2013 through June 30, ~~2013~~ 2014.

35
36 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
2 EDUCATION SERVICES. The funds appropriated in the line item "Special
3 Education Services" in Section 1 of this Act shall be used to provide
4 extended year summer programs for handicapped students in need of such
5 services, to provide special education services to foster children who are
6 wards of the State, and to provide funds for the payment of salaries of
7 special education supervisors. The Department of Education shall distribute
8 such funds in the manner necessary to carry out the intent of this Section.

9 The provisions of this section shall be in effect only from July 1, ~~2012~~
10 2013 through June 30, ~~2013~~ 2014.

11
12 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

14 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
15 fiscal year thereafter, the Department of Education shall from time to time
16 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the
17 State, the amount of funds disbursed or approved to be disbursed by the
18 Department of Education for desegregation expenses under any "Desegregation
19 Settlement Agreement". Upon the receipt of such certification, the State
20 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
21 202(b)(2)(B), shall also deduct from the net general revenues the amount
22 certified and transfer this amount to the Department of Education Public
23 School Fund Account there to be used exclusively for payment of or
24 reimbursement for expenses incurred from the Department of Education Public
25 School Fund Account under any "Desegregation Settlement Agreement".

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

32 The provisions of this section shall be in effect only from July 1, ~~2012~~
33 2013 through June 30, ~~2013~~ 2014.

34
35 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

4 The provisions of this section shall be in effect only from July 1, ~~2012~~
5 2013 through June 30, ~~2013~~ 2014.

6
7 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
9 AUTHORITY. The Commissioner of the Department of Education, with the approval
10 of the Chief Fiscal Officer of the State and after approval by the Arkansas
11 Legislative Council or Joint Budget Committee, is hereby authorized to
12 request necessary appropriation transfers and any other budget related
13 adjustments necessary within the Department of Education. Provided, however,
14 that the Department of Education shall be limited to submitting no more than
15 two transfer requests during any fiscal year.

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

32 The provisions of this section shall be in effect only from July 1, ~~2012~~
33 2013 through June 30, ~~2013~~ 2014.

34
35 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN

1 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
2 authorized herein to the Department of Education for the Quiz Bowl each
3 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each
4 fiscal year may be made available to the Department of Education -
5 Educational Television Division for its documented costs associated with the
6 Quiz Bowl.

7 The provisions of this section shall be in effect only from July 1, ~~2012~~
8 2013 through June 30, ~~2013~~ 2014.

9

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

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

34 The provisions of this section shall be in effect only from July 1, ~~2012~~
35 2013 through June 30, ~~2013~~ 2014.

36

1 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
3 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
4 each fiscal year, an amount of not less than two million dollars (\$2,000,000)
5 or eighteen percent (18%), whichever is greater each fiscal year, shall be
6 awarded through a grant or professional services contract for EAST
7 infrastructure, personnel, and operating expenses. The EAST infrastructure
8 grant or contract for personal services and operating expenses shall be
9 awarded to an entity that has personnel or experience, or both, in
10 implementing the EAST Initiative.

11 The provisions of this section shall be in effect only from July 1, ~~2012~~
12 2013 through June 30, ~~2013~~ 2014.

13
14 SECTION 19 SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CENTER
16 FOR QUALITY TEACHING AND LEARNING FUNDING PROVISION. Of the total
17 appropriation authorized by this Act for Technology Grants the Department of
18 Education shall make available one hundred eighty-seven thousand five hundred
19 seventy-five dollars (\$187,575) each fiscal year for Center for Quality
20 Teaching and Learning initiatives to teach students computer repair in a
21 hands-on environment. The Department of Education shall allocate General
22 Revenue funding totaling no less than one hundred eighty-seven thousand five
23 hundred seventy-five dollars (\$187,575) each fiscal year from the Department
24 of Education Public School Fund Account to support the Center for Quality
25 Teaching and Learning. The Department shall either expend or have committed
26 for expenditure the monies allocated for the Center for Quality Teaching and
27 Learning in order to fulfill the provisions of this section.

28 The provisions of this section shall be in effect only from July 1,
29 ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

30
31 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
33 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
34 "Distressed School District Support" in Section 1 of this Act may be used for
35 technical assistance offered by the Department of Education to school
36 districts in academic distress that can include, but is not limited to,

1 teacher specialists, principal specialists, and other personnel assigned by
2 the department. These funds may also be used for alternative research-based
3 technical assistance or programs. Criteria for selecting and approving
4 alternative research-based technical assistance or programs are to be
5 promulgated as a rule by the State Board of Education, provided that
6 alternative staffing and/or compensation programs for teachers shall be
7 approved by at least a majority of the teachers in the school, schools, or
8 school district participating in the program.

9 The provisions of this section shall be in effect only from July 1, ~~2012~~
10 2013 through June 30, ~~2013~~ 2014.

11
12 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

14 PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional
15 Development Funding, four million dollars (\$4,000,000) may be authorized by
16 the Commissioner of the Department of Education to be used by the Department
17 of Education to develop and implement statewide professional development
18 support systems for teachers that will benefit student achievement.

19 The provisions of this section shall be in effect only from July 1, ~~2012~~
20 2013 through June 30, ~~2013~~ 2014.

21
22 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

24 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
25 Districts shall pay the teacher retirement employer contribution rate for any
26 eligible employee in accordance with rules and regulations established by the
27 Teacher Retirement Board of Directors. The appropriation contained herein for
28 Teacher Retirement Matching each fiscal year shall be used to provide the
29 employer matching for employees of the Cooperative Education Services Areas,
30 Vocational Centers, Arkansas Easter Seals and the school operated by the
31 Department of Correction.

32 The provisions of this section shall be in effect only from July 1, ~~2012~~
33 2013 through June 30, ~~2013~~ 2014.

34
35 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN-

1 ENROLLMENT VIRTUAL CHARTER SCHOOL PROVISIONS.

2 (a) Regardless of any provision of law to the contrary, no school
3 district shall receive state funding for the ~~2012-2013~~ 2013-2014 school year
4 for those students who are included in the district's average daily
5 membership for the previous school year but who are attending any open-
6 enrollment charter school that uses internet, long-distance, or virtual
7 technology as the primary method of teaching.

8 (b) As of school year 2012-13, the State Board of Education has
9 approved a maximum enrollment of 500 for the open-enrollment public virtual
10 charter school.

11 (c) Beginning in school year 2013-14 and thereafter, for an
12 open-enrollment public charter granted to a virtual school, the school shall
13 be allowed to enroll an eligible student in any grade, kindergarten through
14 grade twelve (12), up to a total school enrollment of three thousand (3,000)
15 students.

16 (d) Students that become enrolled in the two thousand five hundred
17 (2,500) additional slots authorized by subsection (c) of this Section must be
18 enrolled in an Arkansas public school for the first three quarters of the
19 prior school year.

20 (e) The provisions of this section shall be in effect only from July 1,
21 ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

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

36 Determining the maximum number of employees and the maximum amount of

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

13 The provisions of this section shall be in effect only from July 1, ~~2012~~
14 2013 through June 30, ~~2013~~ 2014.

15

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

27

28 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
30 FORWARD. Any unexpended balance of monies allocated for the Arkansas Better
31 Chance for School Success Program remaining on June 30, ~~2013~~ 2014, in the
32 Department of Education Public School Fund Account shall be designated and
33 retained for the Arkansas Better Chance for School Success Program.

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

36 (1) Prior to June 30, ~~2013~~ 2014 the Agency shall by written statement set

1 forth its reason(s) for the need to carry forward said funding to the
2 Department of Finance and Administration Office of Budget;

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

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

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

21 The provisions of this section shall be in effect only from July 1, ~~2012~~
22 2013 through June 30, ~~2013~~ 2014.

23

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

32

33 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
35 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
36 shall transfer on his books and those of the State Treasurer and the State

1 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
2 fiscal year from the Department of Education Public School Fund Account to
3 the University of Arkansas at Little Rock Fund, specifically to provide
4 funding for the Arkansas/STRIVE Program. The total amount of funds
5 transferred each fiscal year pursuant to this section shall not be subject to
6 any indirect costs by the University of Arkansas at Little Rock.

7 The provisions of this section shall be in effect only from July 1, ~~2012~~
8 2013 through June 30, ~~2013~~ 2014.

9

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

18 The provisions of this section shall be in effect only from July 1, ~~2012~~
19 2013 through June 30, ~~2013~~ 2014.

20

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

28 The provisions of this section shall be in effect only from July 1, ~~2012~~
29 2013 through June 30, ~~2013~~ 2014.

30

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

36 The provisions of this section shall be in effect only from July 1, ~~2012~~

1 2013 through June 30, ~~2013~~ 2014.

2

3 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 5 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.
 6 Effective for the plan year beginning October 1, ~~2012~~ 2013, if ninety-eight
 7 percent (98%) of the uniform rate of tax used in the calculation of State
 8 Foundation Funding Aid for fiscal year ~~2012-2013~~ 2013-2014 exceeds nine
 9 hundred twenty million seven hundred thirty-one thousand eight hundred
 10 nineteen dollars (\$920,731,819), the Department of Education shall pay up to
 11 fifteen million dollars (\$15,000,000) of the total increase over the nine
 12 hundred twenty million seven hundred thirty-one thousand eight hundred
 13 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the
 14 Department of Finance and Administration in additional health insurance
 15 contributions for eligible employees electing to participate in the public
 16 school employees' health insurance program administered by the State and
 17 Public School Life and Health Insurance Board.

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

23 The provisions of this section shall be in effect only from July 1, ~~2012~~
 24 2013 through June 30, ~~2013~~ 2014.

25

26 SECTION 33. Section 1 of Uncodified Act 269 of 2012, is amended to read
 27 as follows:

28

29 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
 30 Department of Education, to be payable from the Department of Education
 31 Public School Fund Account, for grants and aid to local school districts and
 32 special programs of the Department of Education for the fiscal year ending
 33 June 30, 2013, the following:

34

35 ITEM

FISCAL YEAR

36 NO.

2012-2013

1	(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$34,500,000
2	(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE	15,000,000
3	(03) ADVANCED PLACEMENT INCENTIVE	825,000
4	(04) ALTERNATIVE LEARNING	21,775,797
5	(05) ALTERNATIVE PAY	807,907
6	(06) ARKANSAS EASTER SEALS	193,113
7	(07) ASSESSMENT/END OF COURSE TESTING	24,375,349
8	(08) AT RISK	1,688,530
9	(09) BETTER CHANCE PROGRAM	111,000,000
10	(10) BONDED DEBT ASSISTANCE	28,455,384
11	(11) CONSOLIDATION INCENTIVE	9,415,127
12	(12) CONTENT STANDARDS	161,000
13	(13) CONTENTS STANDARDS CURRICULUM FRAMEWORKS	50,000
14	(14) COOP EDUCATION TECH CENTERS	1,200,000
15	(15) COORDINATED SCHOOL HEALTH	2,000,000
16	(16) COURT ORDERED DESEGREGATION	69,814,372
17	(17) CRIMINAL BACKGROUND CHECKS	25,000
18	(18) DECLINING ENROLLMENT	13,963,389
19	(19) DEPARTMENT OF CORRECTION	6,024,799
20	(20) DISTANCE LEARNING	4,760,000
21	(21) DISTANCE LEARNING OPERATIONS	7,575,000
22	(22) DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
23	(23) EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
24	(24) ECONOMIC EDUCATION	350,000
25	(25) EDUCATION SERVICE COOPERATIVES	6,129,270
26	(26) ENGLISH LANGUAGE LEARNERS	12,162,924
27	(27) GENERAL FACILITIES FUNDING	8,100,000
28	(28) GIFTED & TALENTED	1,335,381
29	(29) GRANTS TO SCHOOL DISTRICTS	67,856
30	(30) HOME SCHOOL TESTING	250,000
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	500,000
35	(35) MASTER PRINCIPAL BONUS	90,000
36	(36) NATIONAL BOARD OF PROF TEACHING STANDARDS	12,016,160

1	(37) NATIONAL SCHOOL LUNCH	187,235,597
2	(38) NON-TRADITIONAL LICENSURE	50,000
3	(39) PROFESSIONAL DEVELOPMENT FUNDING	24,244,209
4	(40) PUBLIC SCHOOL EMPLOYEE INSURANCE	37,273,600
5	(41) RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
6	(42) SCHOOL FACILITY JOINT USE SUPPORT	500,000
7	(43) SCHOOL FOOD SERVICES	1,650,000
8	(44) SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
9	(45) SCHOOL FUNDING CONTINGENCY	25,000,000
10	(46) SCHOOL WORKER DEFENSE	390,000
11	(47) SERIOUS OFFENDER	1,716,859
12	(48) SMART START/SMART STEP	10,666,303
13	(49) SPECIAL EDUCATION SERVICES	4,145,285
14	(50) SPECIAL EDUCATION-CATASTROPHIC	11,000,000
15	(51) SPECIAL NEEDS ISOLATED FUNDING	3,000,000
16	(52) STATE FOUNDATION FUNDING	1,904,969,759
17	(53) SUPPLEMENTAL TRANSPORTATION	500,000
18	(54) STUDENT GROWTH	28,500,000
19	(55) SUPPLEMENTAL MILLAGE	10,000,000
20	(56) SURPLUS COMMODITIES	780,000
21	(57) TEACHER LICENSING/MENTORING	5,008,758
22	(58) TEACHER OF THE YEAR	100,000
23	(59) TEACHER RECRUITMENT	2,100,000
24	(60) TEACHER RETIREMENT MATCHING	6,655,000
25	(61) TECHNOLOGY GRANTS	3,602,678
26	(62) TECHNOLOGY IMPROVEMENTS	500,000
27	(63) WORKER'S COMPENSATION	450,000
28	(64) YOUTH SHELTERS	165,000
29	(65) STUDENT SUCCESS RESEARCH DATA PILOT PROGRAM	<u>200,000</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$2,706,606,563</u> <u>\$2,707,106,563</u>

31

32 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Section
 34 32 of Uncodified Act 269 of 2012, is hereby amended to read as follows:

35

36 ~~SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS~~

1 ~~CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW,~~
2 ~~SUPPLEMENTAL TRANSPORTATION. The Department of Education shall budget,~~
3 ~~allocate and commit for expenditure five hundred thousand dollars (\$500,000)~~
4 ~~for the appropriation made herein for "Supplemental Transportation". The~~
5 ~~Department shall use such funding to address extraordinary transportation~~
6 ~~needs of public school districts. The State Board of Education shall~~
7 ~~promulgate such rules and regulations as may be necessary to implement this~~
8 ~~provision, which shall be reviewed by the House and Senate Interim Committees~~
9 ~~on Education.~~

10
11 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
13 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
14 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
15 addition to funds already being provided for the Arkansas Governor's School,
16 to fund the appropriation authorized from general revenue for the Gifted and
17 Talented program as appropriated in Section 1 herein. With this additional
18 funding the duration of the Arkansas Governor's School shall be extended from
19 four (4) weeks to six (6) weeks.

20 The provisions of this section shall be in effect only from July 1, ~~2012~~
21 2013 through June 30, ~~2013~~ 2014.

22
23 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ISOLATED
25 FUNDING - SPECIAL PROVISIONS. When the Department of Education uses a new
26 methodology or technology to recalculate square miles to determine student
27 transportation distance, density ratio, total area, or bus route miles for
28 the purpose of determining the amount of isolated funding a school district
29 receives under Ark. Code Ann. § 6-20-601 et seq., the school district shall
30 receive an amount of isolated funding that is not less than the amount of
31 isolated funding the school district would have received based on the school
32 district's square miles calculated in the prior school year; provided that
33 the school district remains eligible for isolated funding under § 6-20-601 et
34 seq.

35 The provisions of this section shall be in effect only from July 1,
36 2012 through June 30, 2014.

1
2 SECTION 37. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
3 authorized by this act shall be limited to the appropriation for such agency
4 and funds made available by law for the support of such appropriations; and
5 the restrictions of the State Procurement Law, the General Accounting and
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
7 Procedures and Restrictions Act, or their successors, and other fiscal
8 control laws of this State, where applicable, and regulations promulgated by
9 the Department of Finance and Administration, as authorized by law, shall be
10 strictly complied with in disbursement of said funds.

11
12 SECTION 38. LEGISLATIVE INTENT. It is the intent of the General
13 Assembly that any funds disbursed under the authority of the appropriations
14 contained in this act shall be in compliance with the stated reasons for
15 which this act was adopted, as evidenced by the Agency Requests, Executive
16 Recommendations and Legislative Recommendations contained in the budget
17 manuals prepared by the Department of Finance and Administration, letters, or
18 summarized oral testimony in the official minutes of the Arkansas Legislative
19 Council or Joint Budget Committee which relate to its passage and adoption.

20
21 SECTION 39. EMERGENCY CLAUSE. It is found and determined by the General
22 Assembly, that the Constitution of the State of Arkansas prohibits the
23 appropriation of funds for more than a one (1) year period; that the
24 effectiveness of this Act on July 1, 2013 is essential to the operation of
25 the agency for which the appropriations in this Act are provided; with the
26 exception that SECTIONS 33, 34 and 36 in this Act shall be in full force and
27 effect from and after the date of its passage and approval, and that in the
28 event of an extension of the legislative session, the delay in the effective
29 date of this Act beyond July 1, 2013 could work irreparable harm upon the
30 proper administration and provision of essential governmental programs, with
31 the exception that SECTIONS 33, 34 and 36 in this Act shall be in full force
32 and effect from and after the date of its passage and approval. Therefore, an
33 emergency is hereby declared to exist and this Act being necessary for the
34 immediate preservation of the public peace, health and safety shall be in
35 full force and effect from and after July 1, 2013; with the exception that
36 SECTIONS 33, 34 and 36 in this Act shall be in full force and effect from and

1 after the date of its passage and approval.

2

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/s/Joint Budget Committee

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