

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

As Engrossed: S4/3/23

# A Bill

SENATE BILL 76

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF  
10 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2024;  
11 AND FOR OTHER PURPOSES.  
12  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION  
15 APPROPRIATION FOR THE 2023-2024 FISCAL  
16 YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby  
23 established for the Department of Education for the 2023-2024 fiscal year,  
24 the following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
30	(1)	SC004	SECRETARY OF EDUCATION	1 GRADE SE05
31	(1.1)	E080C	ADE CHIEF OF STAFF	1 GRADE SE04
32	(2)	U089U	DHE DEPUTY DIRECTOR	1 GRADE SE02
33	(2.1)	G331C	ADE CHIEF LEGAL COUNSEL	1 GRADE SE01
34	(3)	D011N	ADE DIRECTOR OF INFORMATION SYSTEMS	1 GRADE SE01
35	(4)	N009N	ASST COMMISSIONER FISCAL & ADMIN SVCS	1 GRADE SE01
36	(5)	D006N	STATE SYSTEMS ARCHITECT	1 GRADE IT10



1	(6)	E007N ADE DIRECTOR OF COMPUTER SCIENCE	1	GRADE IT09
2	(7)	D022N IT SENIOR PROJECT MANAGER	1	GRADE IT09
3	(8)	D006C SOFTWARE ENGINEER LEAD	1	GRADE IT08
4	(9)	D030C INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
5	(10)	D028C SENIOR SOFTWARE SUPPORT SPECIALIST	1	GRADE IT07
6	(11)	D038C SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE IT06
7	(12)	D047C INFORMATION SYSTEMS BUSINESS ANALYST	1	GRADE IT05
8	(13)	D061C INFORMATION SYSTEMS COORDINATION SPEC	1	GRADE IT05
9	(14)	G001N ADE LITIGATION ATTORNEY	1	GRADE GS15
10	(15)	G281C ADE POLICY & SPECIAL PROJECTS DIRECTOR	1	GRADE GS15
11	(16)	N002N DHE SENIOR ASSOC DIRECTOR	2	GRADE GS15
12	(17)	N069N ADE SPECIAL ADVISOR	1	GRADE GS14
13	(18)	E001N ADE COORDINATOR SPECIAL PROGRAMS	1	GRADE GS13
14	(19)	G019C GENERAL COUNSEL	1	GRADE GS13
15	(20)	G012C ADE ASSISTANT TO DIRECTOR	3	GRADE GS12
16	(21)	E076C ADE CAREER EDUCATION DIVISION MANAGER	1	GRADE GS12
17	(22)	G025C ATTORNEY SUPERVISOR	1	GRADE GS12
18	(23)	A027C ACCOUNTING OPERATIONS MANAGER	2	GRADE GS11
19	(24)	N149N ADE COORD FISCAL DISTRESS	1	GRADE GS11
20	(25)	A031C ASSISTANT CONTROLLER	1	GRADE GS11
21	(26)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
22	(27)	E006C PUBLIC SCHOOL PROGRAM MANAGER	1	GRADE GS11
23	(28)	E061C ACE PROGRAM COORDINATOR	1	GRADE GS10
24	(29)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
25	(30)	G073C ATTORNEY	1	GRADE GS10
26	(31)	E016C PUBLIC SCHOOL PROGRAM COORDINATOR	1	GRADE GS10
27	(32)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09
28	(33)	G074C ADE COORD OF GOVERNMENTAL AFFAIRS	1	GRADE GS09
29	(34)	A032C ADE FINANCE PROGRAM COORDINATOR	1	GRADE GS09
30	(35)	A038C FISCAL SUPPORT MANAGER	4	GRADE GS09
31	(36)	G109C GRANTS MANAGER	1	GRADE GS09
32	(37)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
33	(38)	E019C PUBLIC SCHOOL PROGRAM ADVISOR	2	GRADE GS09
34	(39)	A082C ACCOUNTANT II	2	GRADE GS08
35	(40)	G093C OPERATIONS MANAGER	3	GRADE GS08
36	(41)	R014C PERSONNEL MANAGER	3	GRADE GS08

1	(42)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
2	(43)	A041C PROGRAM FISCAL MANAGER	1	GRADE GS08
3	(44)	A089C ACCOUNTANT I	1	GRADE GS07
4	(45)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
5	(46)	S008C CAMPUS MAINTENANCE SUPERVISOR	2	GRADE GS07
6	(47)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
7	(48)	A075C FINANCIAL ANALYST I	1	GRADE GS07
8	(49)	G147C GRANTS COORDINATOR	1	GRADE GS07
9	(50)	P020C PRODUCTION ARTIST	1	GRADE GS07
10	(51)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
11	(52)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
12	(53)	S033C MAINTENANCE SUPERVISOR	1	GRADE GS06
13	(54)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
14	(55)	A090C PAYROLL SERVICES SPECIALIST	2	GRADE GS05
15	(56)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
16	(57)	A098C FISCAL SUPPORT SPECIALIST	2	GRADE GS04
17	(58)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
18	(59)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
19	(60)	C046C LEGAL SUPPORT SPECIALIST	1	GRADE GS04
20	(61)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
21	(62)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
22		MAX. NO. OF EMPLOYEES	86	

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24 SECTION 2. EXTRA HELP - SHARED SERVICES PAYING ACCOUNT. There is  
 25 hereby authorized, for the Department of Education - Shared Services Paying  
 26 Account for the 2023-2024 fiscal year, the following maximum number of part-  
 27 time or temporary employees, to be known as "Extra Help", payable from funds  
 28 appropriated herein for such purposes: six (6) temporary or part-time  
 29 employees, when needed, at rates of pay not to exceed those provided in the  
 30 Uniform Classification and Compensation Act, or its successor, or this act  
 31 for the appropriate classification.

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33 SECTION 3. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is  
 34 hereby appropriated, to the Department of Education, to be payable from the  
 35 paying account as determined by the Chief Fiscal Officer of the State, for  
 36 personal services and operating expenses of the Department of Education -

1 Shared Services for the fiscal year ending June 30, 2024, the following:

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3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2023-2024</u>
5	(01) REGULAR SALARIES	\$6,086,680
6	(02) EXTRA HELP	80,000
7	(03) PERSONAL SERVICES MATCHING	1,978,128
8	(04) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	100,000
10	(B) CONF. & TRAVEL	10,000
11	(C) PROF. FEES	0
12	(D) CAP. OUTLAY	0
13	(E) DATA PROC.	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,254,808</u></u>

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16 SECTION 4. REGULAR SALARIES - STATE OPERATIONS. There is hereby  
 17 established for the Department of Education - Division of Elementary and  
 18 Secondary Education for the 2023-2024 fiscal year, the following maximum  
 19 number of regular employees.

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21			Maximum Annual
22		Maximum	Salary Rate
23	Item Class	No. of	Fiscal Year
24	<u>No. Code Title</u>	<u>Employees</u>	<u>2023-2024</u>
25	(1) U033U COMMISSIONER OF EDUCATION	1	GRADE SE05
26	(2) U027U DEPUTY COMMISSIONER OF EDUCATION	1	GRADE SE03
27	(2.1) E081C ADE ASSOCIATE DEPUTY	3	GRADE SE02
28	(3) N005N ADE ASST COMMISSIONER LEARNING SERVICES	1	GRADE SE01
29	(4) N006N ADE ASST COMMISSIONER PUB SCH ACCOUNT	1	GRADE SE01
30	(5) N008N ASST COMMISSIONER RESEARCH & TECHNOLOGY	1	GRADE SE01
31	(6) N010N ASST COMMR EDUC EFFECTIVENESS	1	GRADE SE01
32	(7) L027C REGISTERED NURSE SUPERVISOR	1	GRADE MP02
33	(8) D104C ADE STATE SYSTEMS ADMINISTRATOR	4	GRADE IT08
34	(9) D030C INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
35	(10) D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
36	(11) D047C INFORMATION SYSTEMS BUSINESS ANALYST	2	GRADE IT05

1	(12)	D052C SOFTWARE SUPPORT ANALYST	1	GRADE IT05
2	(13)	D044C SYSTEMS ANALYST	1	GRADE IT05
3	(14)	D064C WEBSITE DEVELOPER	1	GRADE IT04
4	(15)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE IT02
5	(16)	E072C DIRECTOR OF COMPUTER SCIENCE AND STEM	1	GRADE GS15
6	(16.1)	E082C ADE PROGRAM DIRECTOR	1	GRADE GS15
7	(17)	N069N ADE SPECIAL ADVISOR	6	GRADE GS14
8	(18)	E003N ADE COORD SCH. IMP / STANDARDS ASSUR	1	GRADE GS13
9	(19)	E001N ADE COORDINATOR SPECIAL PROGRAMS	7	GRADE GS13
10	(20)	A010C AGENCY CONTROLLER II	1	GRADE GS13
11	(21)	G012C ADE ASSISTANT TO DIRECTOR	6	GRADE GS12
12	(22)	G006C ADE SPECIAL EDUCATION DIVISION MGR	1	GRADE GS12
13	(23)	A021C AGENCY CONTROLLER I	1	GRADE GS12
14	(24)	E006N ADE COORD COMPUTER SCIENCE	1	GRADE GS11
15	(25)	E069C ADE DIRECTOR OF MEDICAID IN SCHOOLS	1	GRADE GS11
16	(26)	E006C PUBLIC SCHOOL PROGRAM MANAGER	13	GRADE GS11
17	(27)	E007C ADE OERZ DIRECTOR	1	GRADE GS10
18	(28)	G075C ADE PROGRAM ADMINISTRATOR	3	GRADE GS10
19	(29)	E016C PUBLIC SCHOOL PROGRAM COORDINATOR	19	GRADE GS10
20	(30)	A052C ACCOUNTING COORDINATOR	5	GRADE GS09
21	(31)	A032C ADE FINANCE PROGRAM COORDINATOR	2	GRADE GS09
22	(32)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
23	(33)	A038C FISCAL SUPPORT MANAGER	4	GRADE GS09
24	(34)	G109C GRANTS MANAGER	2	GRADE GS09
25	(35)	P004C PUBLIC INFORMATION MANAGER	3	GRADE GS09
26	(36)	E019C PUBLIC SCHOOL PROGRAM ADVISOR	102	GRADE GS09
27	(37)	E066C DCCECE EDUCATION MANAGER	1	GRADE GS08
28	(38)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
29	(39)	L043C HEALTH PROGRAM SPECIALIST III	1	GRADE GS08
30	(40)	L035C NUTRITIONIST CONSULTANT	9	GRADE GS08
31	(41)	G093C OPERATIONS MANAGER	1	GRADE GS08
32	(42)	A041C PROGRAM FISCAL MANAGER	5	GRADE GS08
33	(43)	A089C ACCOUNTANT I	1	GRADE GS07
34	(44)	G267C DHS PROGRAM ELIGIBILITY ANALYST	1	GRADE GS07
35	(45)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
36	(46)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07

1	(47) C037C ADMINISTRATIVE ANALYST	12	GRADE GS06
2	(48) M053C CHILD CARE SERVICE SPECIALIST	5	GRADE GS06
3	(49) A074C FISCAL SUPPORT SUPERVISOR	3	GRADE GS06
4	(50) G180C GRANTS ANALYST	2	GRADE GS06
5	(51) R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
6	(52) G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
7	(53) G178C POLICY DEVELOPMENT COORDINATOR	2	GRADE GS06
8	<del>(54) B076C RESEARCH PROJECT ANALYST</del>	<del>1</del>	<del>GRADE GS06</del>
9	<del>(55) C022C BUSINESS OPERATIONS SPECIALIST</del>	<del>1</del>	<del>GRADE GS05</del>
10	(56) V014C BUYER	1	GRADE GS05
11	(57) A091C FISCAL SUPPORT ANALYST	3	GRADE GS05
12	<del>(58) D077C HELP DESK SPECIALIST</del>	<del>1</del>	<del>GRADE GS05</del>
13	(59) C056C ADMINISTRATIVE SPECIALIST III	29	GRADE GS04
14	(60) R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
15	(61) C073C ADMINISTRATIVE SPECIALIST II	<u>17</u>	GRADE GS03
16	MAX. NO. OF EMPLOYEES	302	

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18 SECTION 5. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,  
 19 for the Department of Education - Division of Elementary and Secondary  
 20 Education - State Operations for the 2023-2024 fiscal year, the following  
 21 maximum number of part-time or temporary employees, to be known as "Extra  
 22 Help", payable from funds appropriated herein for such purposes: eight (8)  
 23 temporary or part-time employees, when needed, at rates of pay not to exceed  
 24 those provided in the Uniform Classification and Compensation Act, or its  
 25 successor, or this act for the appropriate classification.

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27 SECTION 6. APPROPRIATION - STATE OPERATIONS. There is hereby  
 28 appropriated, to the Department of Education, to be payable from the Division  
 29 of Elementary and Secondary Education Fund Account, for personal services and  
 30 operating expenses of the Department of Education - Division of Elementary  
 31 and Secondary Education - State Operations for the fiscal year ending June  
 32 30, 2024, the following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2023-2024</u>
36	(01) REGULAR SALARIES	\$13,523,874

1	(02) EXTRA HELP	160,000
2	(03) PERSONAL SERVICES MATCHING	4,571,106
3	(04) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	3,411,057
5	(B) CONF. & TRAVEL	93,161
6	(C) PROF. FEES	100,000
7	(D) CAP. OUTLAY	100,000
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$21,959,198</u></u>

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11 SECTION 7. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. There is  
 12 hereby appropriated, to the Department of Education, to be payable from the  
 13 federal funds as designated by the Chief Fiscal Officer of the State, for  
 14 personal services and operating expenses of the Department of Education -  
 15 Division of Elementary and Secondary Education - Federal Grants  
 16 Administration for the fiscal year ending June 30, 2024, the following:

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18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2023-2024</u>
20	(01) REGULAR SALARIES	\$254,677
21	(02) PERSONAL SERVICES MATCHING	85,837
22	(03) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	49,970
24	(B) CONF. & TRAVEL	19,672
25	(C) PROF. FEES	260,000
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$670,156</u></u>

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30 SECTION 8. APPROPRIATION - BUILDING MAINTENANCE. There is hereby  
 31 appropriated, to the Department of Education, to be payable from the  
 32 Educational Buildings Maintenance Fund, for operating expenses of the  
 33 Department of Education - Division of Elementary and Secondary Education -  
 34 Building Maintenance for the fiscal year ending June 30, 2024, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2023-2024</u>
2	(01) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$500,000
4	(B) CONF. & TRAVEL	0
5	(C) PROF. FEES	0
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$500,000</u></u>

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10 SECTION 9. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There

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

12 the Education Revolving Loan Certificates Fund, for personal services,

13 operating expenses, and loans to school districts by the Department of

14 Education - Division of Elementary and Secondary Education - Revolving Loan

15 Certificates Fund for the fiscal year ending June 30, 2024, the following:

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2023-2024</u>
19	(01) REGULAR SALARIES	\$52,281
20	(02) PERSONAL SERVICES MATCHING	18,861
21	(03) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	27,500
23	(B) CONF. & TRAVEL	2,500
24	(C) PROF. FEES	10,000
25	(D) CAP. OUTLAY	0
26	(E) DATA PROC.	0
27	(04) LOANS TO SCHOOL DISTRICTS	13,000,000
28	(05) LOANS TO OPEN-ENROLLMENT PUBLIC CHARTER SCHOOLS	<u>10,000,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u><u>\$23,111,142</u></u>

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31 SECTION 10. APPROPRIATION - CHILD NUTRITION PROGRAM. There is hereby

32 appropriated, to the Department of Education, to be payable from the federal

33 funds as designated by the Chief Fiscal Officer of the State, for personal

34 services, operating expenses, aid and reimbursements of the Department of

35 Education - Division of Elementary and Secondary Education - Child Nutrition

36 Program for the fiscal year ending June 30, 2024, the following:



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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) REGULAR SALARIES	\$1,157,077
(02) PERSONAL SERVICES MATCHING	423,435
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,172,100
(B) CONF. & TRAVEL	52,600
(C) PROF. FEES	156,400
(D) CAP. OUTLAY	50,000
(E) DATA PROC.	0
(04) SCHOOL FOOD SERVICE/NUTRITION ED	425,000,000
(05) REFUNDS/REIMBURSEMENTS	<u>450,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$428,461,612</u>

SECTION 11. EXTRA HELP - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.  
 There is hereby authorized, for the Department of Education - Division of Elementary and Secondary Education - Federal Elementary and Secondary Education for the 2023-2024 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: three (3) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 12. APPROPRIATION - FEDERAL ELEMENTARY AND SECONDARY EDUCATION.  
 There is hereby appropriated, to the Department of Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, aid and reimbursements of the Department of Education - Division of Elementary and Secondary Education - Federal Elementary and Secondary Education for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) REGULAR SALARIES	\$2,868,987

1	(02) EXTRA HELP	10,000
2	(03) PERSONAL SERVICES MATCHING	984,057
3	(04) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	91,242,005
5	(B) CONF. & TRAVEL	715,500
6	(C) PROF. FEES	12,851,105
7	(D) CAP. OUTLAY	200,000
8	(E) DATA PROC.	0
9	(05) ENTITLEMENT GRANT PROGRAMS	1,172,398,129
10	(06) REFUNDS/REIMBURSEMENTS	<u>1,110,000</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$1,282,379,783</u>

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13 SECTION 13. APPROPRIATION - MULTIPLE GRANT AWARD PROGRAM. There is  
 14 hereby appropriated, to the Department of Education, to be payable from the  
 15 cash fund deposited in the State Treasury as determined by the Chief Fiscal  
 16 Officer of the State, for operating expenses and grants by the Department of  
 17 Education - Division of Elementary and Secondary Education - Multiple Grant  
 18 Award Program for the fiscal year ending June 30, 2024, the following:

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20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2023-2024</u>
22	(01) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	\$422,000
24	(B) CONF. & TRAVEL	16,500
25	(C) PROF. FEES	40,000
26	(D) CAP. OUTLAY	100,000
27	(E) DATA PROC.	0
28	(02) MULTIPLE GRANT AWARDS	<u>1,900,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$2,478,500</u>

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31 SECTION 14. APPROPRIATION - MEDICAID REIMBURSEMENT PROGRAM. There is  
 32 hereby appropriated, to the Department of Education, to be payable from the  
 33 cash fund deposited in the State Treasury as determined by the Chief Fiscal  
 34 Officer of the State, for Medicaid reimbursement and administration of the  
 35 Department of Education - Division of Elementary and Secondary Education -  
 36 Medicaid Reimbursement Program for the fiscal year ending June 30, 2024, the

1 following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (01) REFUNDS/REIMBURSEMENTS	\$13,659,017
6 (02) MEDICAID ADMIN	<u>10,500</u>
7 TOTAL AMOUNT APPROPRIATED	<u>\$13,669,517</u>

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9 SECTION 15. APPROPRIATION - ALTERNATIVE CERTIFICATION PROGRAM. There  
 10 is hereby appropriated, to the Department of Education, to be payable from  
 11 the cash fund deposited in the State Treasury as determined by the Chief  
 12 Fiscal Officer of the State, for operating expenses and grants by the  
 13 Department of Education - Division of Elementary and Secondary Education -  
 14 Alternative Certification Program for the fiscal year ending June 30, 2024,  
 15 the following:

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17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2023-2024</u>
19 (01) MAINT. & GEN. OPERATION	
20 (A) OPER. EXPENSE	\$227,367
21 (B) CONF. & TRAVEL	8,500
22 (C) PROF. FEES	35,420
23 (D) CAP. OUTLAY	0
24 (E) DATA PROC.	0
25 (02) ALT. CERT. PROG. GRANTS AND AID	<u>1,077,925</u>
26 TOTAL AMOUNT APPROPRIATED	<u>\$1,349,212</u>

27

28 SECTION 16. APPROPRIATION - CONFERENCES. There is hereby appropriated,  
 29 to the Department of Education, to be payable from the cash fund deposited in  
 30 the State Treasury as determined by the Chief Fiscal Officer of the State,  
 31 for operating expenses of conferences sponsored by the Department of  
 32 Education - Division of Elementary and Secondary Education - Conferences for  
 33 the fiscal year ending June 30, 2024, the following:

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35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2023-2024</u>

1	(01) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	\$400,000
3	(B) CONF. & TRAVEL	25,000
4	(C) PROF. FEES	50,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$475,000</u></u>

9 SECTION 17. APPROPRIATION - MEDICAID ADMINISTRATION CLAIMING PROGRAM.

10 There is hereby appropriated, to the Department of Education, to be payable  
 11 from the cash fund deposited in the State Treasury as determined by the Chief  
 12 Fiscal Officer of the State, for reimbursement of school districts for  
 13 administrative activities that support the Arkansas Medicaid Program of the  
 14 Department of Education - Division of Elementary and Secondary Education -  
 15 Medicaid Administration Claiming Program for the fiscal year ending June 30,  
 16 2024, the following:

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2023-2024</u>
20	(01) AR MEDICAID ADMIN CLAIMS	<u><u>\$40,000,000</u></u>

22 SECTION 18. APPROPRIATION - ARKANSAS BETTER CHANCE PROGRAM -

23 ADMINISTRATION. There is hereby appropriated, to the Department of  
 24 Education, to be payable from the Division of Elementary and Secondary  
 25 Education Fund Account, for personal services and operating expenses of the  
 26 Department of Education - Division of Elementary and Secondary Education -  
 27 Arkansas Better Chance Program Administration for the fiscal year ending June  
 28 30, 2024, the following:

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2023-2024</u>
32	(01) REGULAR SALARIES	\$452,355
33	(02) PERSONAL SERVICES MATCHING	165,597
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	1,245,291
36	(B) CONF. & TRAVEL	3,917

1	(C) PROF. FEES	297,610
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,164,770</u></u>

5  
 6 SECTION 19. REGULAR SALARIES - PROFESSIONAL LICENSURE STANDARDS BOARD.  
 7 There is hereby established for the Department of Education - Division of  
 8 Elementary and Secondary Education - Professional Licensure Standards Board  
 9 for the 2023-2024 fiscal year, the following maximum number of regular  
 10 employees.

11			Maximum Annual
12			Salary Rate
13		Maximum	Fiscal Year
14	Item Class	No. of	2023-2024
15	<u>No. Code Title</u>	<u>Employees</u>	<u></u>
16	(1) G004C MANAGING ATTORNEY	1	GRADE GS13
17	(2) X012C ADE PLSB CHIEF INVESTIGATOR	1	GRADE GS09
18	(3) X202C ADE PLSB SENIOR INVESTIGATOR	2	GRADE GS08
19	(4) X037C EDUCATION INVESTIGATOR	3	GRADE GS08
20	(5) C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
21	(6) G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
22	(7) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04
23	MAX. NO. OF EMPLOYEES	11	

24  
 25 SECTION 20. APPROPRIATION - PROFESSIONAL LICENSURE STANDARDS BOARD.  
 26 There is hereby appropriated, to the Department of Education, to be payable  
 27 from the cash fund deposited in the State Treasury as determined by the Chief  
 28 Fiscal Officer of the State, for personal services, operating expenses, and  
 29 grants by the Department of Education - Division of Elementary and Secondary  
 30 Education - Professional Licensure Standards Board for the fiscal year ending  
 31 June 30, 2024, the following:

32		
33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2023-2024</u>
35	(01) REGULAR SALARIES	\$591,941
36	(02) PERSONAL SERVICES MATCHING	211,311

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	376,325
3	(B) CONF. & TRAVEL	10,000
4	(C) PROF. FEES	9,505
5	(D) CAP. OUTLAY	50,000
6	(E) DATA PROC.	0
7	(04) EDTPA PROGRAM GRANTS	<u>100,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,349,082</u></u>

9

10 SECTION 21. APPROPRIATION - OPEN ENROLLMENT PUBLIC CHARTER SCHOOL

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

12 payable from the cash fund deposited in the State Treasury as determined by

13 the Chief Fiscal Officer of the State, for outstanding obligations incurred

14 by closed charter schools of the Department of Education - Division of

15 Elementary and Secondary Education - Open Enrollment Public Charter School

16 Closure for the fiscal year ending June 30, 2024, the following:

17		
18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2023-2024</u>
20	(01) CHARTER SCHOOL CLOSURE	<u><u>\$300,000</u></u>

21

22 SECTION 22. APPROPRIATION - SAVE THE CHILDREN GRANT. There is hereby

23 appropriated, to the Department of Education, to be payable from the Division

24 of Elementary and Secondary Education Fund Account, for a grant for statewide

25 in-school, summer, and after school literacy, nutrition, home visiting, and

26 early childhood programs to be administered by Save the Children for low

27 income, at-risk children by the Department of Education - Division of

28 Elementary and Secondary Education - Save the Children Grant for the fiscal

29 year ending June 30, 2024, the following:

30		
31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2023-2024</u>
33	(01) SAVE THE CHILDREN GRANT	<u><u>\$500,000</u></u>

34

35 SECTION 23. APPROPRIATION - SCHOOL SAFETY GRANTS. There is hereby

36 appropriated, to the Department of Education, to be payable from the Division

1 of Elementary and Secondary Education Fund Account, for School Safety Grants  
2 by the Department of Education - Division of Elementary and Secondary  
3 Education - School Safety Grants for the fiscal year ending June 30, 2024,  
4 the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2023-2024</u>
8 (01) SCHOOL SAFETY GRANTS	<u>\$50,000,000</u>

9  
10 SECTION 24. APPROPRIATION - EDUCATIONAL FREEDOM ACCOUNTS. There is  
11 hereby appropriated, to the Department of Education, to be payable from the  
12 Arkansas Children's Educational Freedom Account Fund, for Educational Freedom  
13 Accounts by the Department of Education - Division of Elementary and  
14 Secondary Education - Educational Freedom Accounts for the fiscal year ending  
15 June 30, 2024, the following:

17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2023-2024</u>
19 (01) EDUCATIONAL FREEDOM ACCOUNTS	<u>\$52,100,000</u>

20  
21 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
23 CARRY FORWARD. Notwithstanding any law pertaining to the transfer of year-end  
24 fund balances or any law to the contrary, any funds which remain in the  
25 Division of Elementary and Secondary Education Fund Account at the end of a  
26 fiscal year shall remain in the Division of Elementary and Secondary  
27 Education Fund Account and be made available to fund appropriation(s)  
28 authorized by law and made payable from the Division of Elementary and  
29 Secondary Education Fund Account for the following fiscal year.

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

32 (1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement  
33 set forth its reason(s) for the need to carry forward said funding to the  
34 Department of Finance and Administration Office of Budget;

35 (2) The Department of Finance and Administration Office of Budget shall  
36 report to the Arkansas Legislative Council or Joint Budget Committee all

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

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

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

18 The provisions of this section shall be in effect only from July 1, ~~2022~~  
19 2023 through June 30, ~~2023~~ 2024.

20  
21 SECTION 26. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 25-43-  
22 503, concerning the Secretary of the Department of Education, is amended to  
23 add additional subsections to codify special language in appropriation acts  
24 to read as follows:

25 (g) The appropriation for the salary of the secretary shall be the  
26 sole and exclusive authority for his or her salary.

27 (h) The secretary shall:

28 (1) Devote all of his or her working time exclusively to the  
29 performance of his or her duties as secretary; and

30 (2) Not accept any additional salary from any other source,  
31 including without limitation state, federal, or a private entity or person,  
32 for the performance of his or her duties as secretary; and

33 (3) Not accept any salary, fees, or compensation from any other  
34 source, including without limitation state, federal, or a private entity or  
35 person, for any other employment of any kind outside the scope of his or her  
36 duties as secretary, including without limitation consulting work for any



1 other public or private entity.

2 (i) This section does not prohibit the secretary from accepting or  
3 receiving expense reimbursements and employee benefits as provided under  
4 state law.

5

6 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. SCHOOL  
8 SAFETY SET-ASIDE.

9 (a) (1) The Department of Education shall not begin the process of  
10 promulgating rules for the distribution of funds in the School Safety Set-  
11 Aside or Contingency Vote 3/5 Set-Aside until authorized by Legislative  
12 Council.

13 (2) The department shall not disburse any funds in the School Safety  
14 Set-Aside or Contingency Vote 3/5 Set-Aside until the rules have been  
15 approved by Legislative Council.

16 (b) Notwithstanding other provisions of law, the Chief Fiscal Officer of  
17 the State may from time to time transfer on his or her books and those of the  
18 Treasurer of State and the Auditor of State funds from the Restricted Reserve  
19 Fund School Safety Set-Aside or Contingency Vote 3/5 Set-Aside after  
20 receiving prior approval of the greater of three-fifths (3/5) of the quorum  
21 present or a majority of the membership of the Legislative Council or, if the  
22 General Assembly is in session, the Joint Budget Committee, for the  
23 Department of Education to distribute funds for the School Safety Grant  
24 program, as approved in this section as set out in subsection (a) herein, or  
25 for the distribution of funds from this set-aside for unanticipated state  
26 needs.

27 (c)(1) The General Assembly finds:

28 (A) Determining the maximum amount of appropriation and funding for a  
29 state agency or institution each fiscal year is the prerogative of the  
30 General Assembly;

31 (B) Determining the maximum amount of appropriation and funding for a  
32 state agency or institution is usually accomplished by delineating the  
33 maximum amounts in the appropriation acts for the state agency or institution  
34 and in the general revenue allocations authorized for each relevant fund and  
35 fund account by amendment to the Revenue Stabilization Law, § 19-5-101 et  
36 seq.; and

1 (C) The Restricted Reserve Fund has established procedures for the  
2 transfer of funds to various funds and fund accounts for the efficient and  
3 effective operation of state government.

4 (2)(A) It is necessary and appropriate that the General Assembly  
5 maintain oversight by requiring prior approval of the Legislative Council or,  
6 if the General Assembly is in session, the Joint Budget Committee, as  
7 provided in § 19-5-1263(c).

8 (B) The requirement of approval by the Legislative Council or, if the  
9 General Assembly is in session, the Joint Budget Committee, is not a  
10 severable part of § 19-5-1263.

11 (C) If the requirement of approval by the Legislative Council or, if  
12 the General Assembly is in session, the Joint Budget Committee, is ruled  
13 unconstitutional by a court of competent jurisdiction, § 19-5-1263(c)-(e) are  
14 void in their entirety.

15 (d) The provisions of this section shall be in effect only from July 1,  
16 2023 through June 30, 2024.

17  
18 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

20 ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from  
21 statewide education issues and the necessity of recruiting and retaining  
22 qualified personnel, the Arkansas Department of Education or its successor  
23 agency is authorized for the ~~2022-2023~~ 2023-2024 fiscal year a pool of no  
24 more than five (5) Information Technology positions at a salary not to exceed  
25 the maximum salary for a grade IT12. These positions are to be used by the  
26 Department of Education in the event that the personal services needs of the  
27 Department during the ~~2022-2023~~ 2023-2024 fiscal year require additional  
28 positions, either by title or in number, that are not authorized by the  
29 General Assembly in the Regular Salaries section of this Act. These positions  
30 may also be used to properly classify positions when the Department does not  
31 have a vacant position available with the appropriate title and salary level.

32 (b) To address needs emerging from statewide education issues and the  
33 necessity of recruiting and retaining qualified personnel, the Arkansas  
34 Department of Education or its successor agency is authorized for the ~~2022-~~  
35 ~~2023~~ 2023-2024 fiscal year a pool of ten (10) General Salaries positions at  
36 up to a grade GS15. These positions are to be used by the Department of

1 Education in the event that the personal services needs of the Department  
2 during the ~~2022-2023~~ 2023-2024 fiscal year require additional positions,  
3 either by classification or in number, that are not authorized by the General  
4 Assembly in the Regular Salaries section of this Act. These positions may  
5 also be used to properly classify positions when the Department does not have  
6 a vacant position available with the appropriate title and grade level.

7 (c) Any salary determinations or adjustments administered under the  
8 provisions of Subsections (a) and (b) of this Section shall be made by  
9 comparing the qualifications and salary levels of similar employees in school  
10 districts or in other state education agencies.

11 (d) The Department of Education is authorized to access the pool  
12 positions authorized in this Section at any time when it is determined by the  
13 ~~Commissioner~~ Secretary that the need exists. The ~~Commissioner~~ Secretary  
14 shall provide a monthly report of the justification for the need to allocate  
15 titles from this growth pool to the Chief Fiscal Officer of the State and to  
16 the Arkansas Legislative Council or Joint Budget Committee for review. The  
17 report shall also include an accounting of the names, titles, and salaries of  
18 personnel whose salaries have been adjusted under provisions of Subsections  
19 (a) and (b) of this Section.

20 (e) If the Department of Education requests continuation of any  
21 "Position Pool" position(s) as established herein during the next fiscal  
22 year, the position(s) must be requested as a new position(s) in the agency's  
23 budget request.

24 (f) Determining the number of personnel to be employed by a state agency  
25 is the prerogative of the General Assembly and is usually accomplished by  
26 delineating the maximum number of personnel by identifying job titles and the  
27 maximum grade or salary attached to those titles. The General Assembly has  
28 determined that the Arkansas Department of Education could be operated more  
29 efficiently if some flexibility is given to that agency. That flexibility is  
30 being accomplished by providing a position pool in Subsections (a) and (b) of  
31 this Section and since the General Assembly has granted the agency broad  
32 powers under the growth pool concept, it is both necessary and appropriate  
33 that the General Assembly maintain oversight of the utilization of the  
34 position pool by requiring review of the Legislative Council or Joint Budget  
35 Committee in the utilization of the position pool. Therefore, the requirement  
36 of review by the Legislative Council or Joint Budget Committee is not a

1 severable part of this section. If the requirement of review by the  
2 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
3 court of competent jurisdiction, this entire section is void.

4 The provisions of this section shall be in effect only from July 1, ~~2022~~  
5 2023 through June 30, ~~2023~~ 2024.

6  
7 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 SHARED SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a  
10 Shared Services paying accounts on his or her books and on the books of the  
11 Treasurer of State and the Auditor of State for the payment of personal  
12 services and operating expenses in the Shared Services Paying Account  
13 Appropriation by the Department of Education.

14 (2) The Chief Fiscal Officer of the State shall direct the transfer  
15 of funds and appropriations to the Shared Services Paying Account  
16 appropriation section of this act on the books of the Treasurer of State, the  
17 Auditor of State, and the Chief Fiscal Officer of the State.

18 (3) The transfer authority provided to the department in  
19 subdivision (a)(2) of this section may be used to make transfers only within  
20 the department's appropriation act or between other appropriation acts  
21 authorized for the department.

22 (4) The provisions of this section shall be in effect from the  
23 date of passage through June 30, ~~2023~~ 2024.

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

34  
35 SECTION 31. LEGISLATIVE INTENT. It is the intent of the General  
36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for  
2 which this act was adopted, as evidenced by the Agency Requests, Executive  
3 Recommendations and Legislative Recommendations contained in the budget  
4 manuals prepared by the Department of Finance and Administration, letters, or  
5 summarized oral testimony in the official minutes of the Arkansas Legislative  
6 Council or Joint Budget Committee which relate to its passage and adoption.  
7

8 SECTION 32. EMERGENCY CLAUSE. It is found and determined by the  
9 General Assembly, that the Constitution of the State of Arkansas prohibits  
10 the appropriation of funds for more than a one (1) year period; that the  
11 effectiveness of this Act on July 1, 2023 is essential to the operation of  
12 the agency for which the appropriations in this Act are provided, and that in  
13 the event of an extension of the legislative session, the delay in the  
14 effective date of this Act beyond July 1, 2023 could work irreparable harm  
15 upon the proper administration and provision of essential governmental  
16 programs. Therefore, an emergency is hereby declared to exist and this Act  
17 being necessary for the immediate preservation of the public peace, health  
18 and safety shall be in full force and effect from and after July 1, 2023.  
19

20 */s/Joint Budget Committee*  
21

22  
23 **APPROVED: 4/13/23**  
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