

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: 5/4/23

A Bill

SENATE BILL 76

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF
EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2024;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION
APPROPRIATION FOR THE 2023-2024 FISCAL
YEAR.

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

SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby established for the Department of Education for the 2023-2024 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
(1)	SC004	SECRETARY OF EDUCATION	1	GRADE SE05
(1.1)	E080C	ADE CHIEF OF STAFF	1	GRADE SE04
(2)	U089U	DHE DEPUTY DIRECTOR	1	GRADE SE02
(2.1)	G331C	ADE CHIEF LEGAL COUNSEL	1	GRADE SE01
(3)	D011N	ADE DIRECTOR OF INFORMATION SYSTEMS	1	GRADE SE01
(4)	N009N	ASST COMMISSIONER FISCAL & ADMIN SVCS	1	GRADE SE01
(5)	D006N	STATE SYSTEMS ARCHITECT	1	GRADE IT10



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

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

SECTION 2. EXTRA HELP - SHARED SERVICES PAYING ACCOUNT. There is hereby authorized, for the Department of Education - Shared Services Paying Account 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: six (6) 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 3. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is hereby appropriated, to the Department of Education, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Education -

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

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

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

Item Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
(1) U033U COMMISSIONER OF EDUCATION	1	GRADE SE05
(2) U027U DEPUTY COMMISSIONER OF EDUCATION	1	GRADE SE03
(2.1) E081C ADE ASSOCIATE DEPUTY	3	GRADE SE02
(3) N005N ADE ASST COMMISSIONER LEARNING SERVICES	1	GRADE SE01
(4) N006N ADE ASST COMMISSIONER PUB SCH ACCOUNT	1	GRADE SE01
(5) N008N ASST COMMISSIONER RESEARCH & TECHNOLOGY	1	GRADE SE01
(6) N010N ASST COMMR EDUC EFFECTIVENESS	1	GRADE SE01
(7) L027C REGISTERED NURSE SUPERVISOR	1	GRADE MP02
(8) D104C ADE STATE SYSTEMS ADMINISTRATOR	4	GRADE IT08
(9) D030C INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
(10) D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
(11) D047C INFORMATION SYSTEMS BUSINESS ANALYST	2	GRADE IT05

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

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

SECTION 5. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Department of Education - Division of Elementary and Secondary Education - State Operations 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: eight (8) 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 6. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Education, to be payable from the Division of Elementary and Secondary Education Fund Account, for personal services and operating expenses of the Department of Education - Division of Elementary and Secondary Education - State Operations for the fiscal year ending June 30, 2024, the following:

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

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

SECTION 7. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. 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 and operating expenses of the Department of Education - Division of Elementary and Secondary Education - Federal Grants Administration for the fiscal year ending June 30, 2024, the following:

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

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

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

SECTION 9. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There is hereby appropriated, to the Department of Education, to be payable from the Education Revolving Loan Certificates Fund, for personal services, operating expenses, and loans to school districts by the Department of Education - Division of Elementary and Secondary Education - Revolving Loan Certificates Fund for the fiscal year ending June 30, 2024, the following:

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

SECTION 10. APPROPRIATION - CHILD NUTRITION PROGRAM. 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 - Child Nutrition Program for the fiscal year ending June 30, 2024, the following:

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

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

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

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

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

following:

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

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

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

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

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

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

SECTION 17. APPROPRIATION - MEDICAID ADMINISTRATION CLAIMING PROGRAM. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for reimbursement of school districts for administrative activities that support the Arkansas Medicaid Program of the Department of Education - Division of Elementary and Secondary Education - Medicaid Administration Claiming Program for the fiscal year ending June 30, 2024, the following:

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

SECTION 18. APPROPRIATION - ARKANSAS BETTER CHANCE PROGRAM - ADMINISTRATION. There is hereby appropriated, to the Department of Education, to be payable from the Division of Elementary and Secondary Education Fund Account, for personal services and operating expenses of the Department of Education - Division of Elementary and Secondary Education - Arkansas Better Chance Program Administration for the fiscal year ending June 30, 2024, the following:

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

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

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

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

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

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$591,941
(02) PERSONAL SERVICES MATCHING	211,311

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

SECTION 21. APPROPRIATION - OPEN ENROLLMENT PUBLIC CHARTER SCHOOL CLOSURE. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for outstanding obligations incurred by closed charter schools of the Department of Education - Division of Elementary and Secondary Education - Open Enrollment Public Charter School Closure for the fiscal year ending June 30, 2024, the following:

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

SECTION 22. APPROPRIATION - SAVE THE CHILDREN GRANT. There is hereby appropriated, to the Department of Education, to be payable from the Division of Elementary and Secondary Education Fund Account, for a grant for statewide in-school, summer, and after school literacy, nutrition, home visiting, and early childhood programs to be administered by Save the Children for low income, at-risk children by the Department of Education - Division of Elementary and Secondary Education - Save the Children Grant for the fiscal year ending June 30, 2024, the following:

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

SECTION 23. APPROPRIATION - SCHOOL SAFETY GRANTS. There is hereby appropriated, to the Department of Education, to be payable from the Division

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

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

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

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

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

CARRY FORWARD. Notwithstanding any law pertaining to the transfer of year-end fund balances or any law to the contrary, any funds which remain in the Division of Elementary and Secondary Education Fund Account at the end of a fiscal year shall remain in the Division of Elementary and Secondary Education Fund Account and be made available to fund appropriation(s) authorized by law and made payable from the Division of Elementary and Secondary Education Fund Account for the following fiscal year.

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

(1) Prior to June 30, ~~2023~~ 2024 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 (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. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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

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

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

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

(h) The secretary shall:

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

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

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

other public or private entity.

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

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

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

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

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

(c)(1) The General Assembly finds:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

/s/ Joint Budget Committee

APPROVED: 4/13/23