

**NINTH DAY'S PROCEEDINGS  
HALL OF THE HOUSE OF REPRESENTATIVES**

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Little Rock, Arkansas  
December 16, 2003

The House was called to order at 1:30 p.m. by Mr. Cleveland, the Speaker.  
The following members answered to the roll call:

Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D.Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C.Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, J.Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total .....99

The following member(s) was absent and did not answer to the roll call:  
L. Prater.

Total .....1

A quorum was present.

Unanimous leave was granted for Representative(s) L. Prater.

The House stood and was led in prayer by Representative Marvin Parks.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY HOUSE BILL NO. 1036 BY REPRESENTATIVE HOUSE	December 15, 2003 JIM LENDALL CHAIRPERSON DO PASS
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COMMITTEE REPORT

JOINT BUDGET  HOUSE BILL NO. 1024 BY REPRESENTATIVE WEAVER	December 16, 2003 PAUL WEAVER CHAIRPERSON DO PASS
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COMMITTEE REPORT

EDUCATION  HOUSE BILL NO. 1043 BY REPRESENTATIVE MEDLEY HOUSE BILL NO. 1048 BY REPRESENTATIVE J. JOHNSON	December 16, 2003 CALVIN JOHNSON CHAIRPERSON DO PASS  DO PASS
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COMMITTEE REPORT

PUBLIC HEALTH, WELFARE AND LABOR HOUSE BILL NO. 1011 BY REPRESENTATIVE BOYD	December 16, 2003 GARY BIGGS VICE-CHAIRPERSON DO PASS AS AMENDED #2
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COMMITTEE REPORT

PUBLIC TRANSPORTATION  SENATE BILL NO. 11 BY SENATOR J. BOOKOUT	December 16, 2003 JOHNNIE BOLIN CHAIRPERSON DO PASS NON-CONTROVERSIAL
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Upon motion of Representative Elliott, **HOUSE BILL NO. 1040** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1040

Amend **HOUSE BILL NO. 1040** as originally introduced:

Page 1, delete line 34 and substitute the following:

(1) A bonus of six thousand dollars (\$6,000) to be paid at the time the teacher signs a contract to teach in a high poverty area;

(2) Five (5) days of paid vacation to be awarded at the end of

AND

Page 1, line 36, delete (2) and substitute (3)

AND

Page 2, line 2, delete (3) and substitute (4)

AND

Immediately following SECTION 1, add the following additional SECTION:

SECTION 2. Arkansas Code Title 26, Chapter 51, Subchapter 5 is amended to add an additional section to read as follows:

26-51-512. Teachers in high-poverty area.

(a)(1) For purposes of this section "high-poverty area" means an area of the state in which seventy-five (75%) percent or more of public school students are eligible for the free or reduced-price lunch program under the National School Lunch Act.

(b) A credit shall be allowed against the income tax imposed by the Arkansas Income Tax Act of 1929, § 26-51-101, et seq., to a teacher teaching in a high-poverty area.

(1) For the first school year that a teacher teaches in a high-poverty area, the credit is two thousand dollars (\$2,000).

(2) For the second school year that a teacher teaches in a high-poverty district, the credit is three thousand dollars (\$3,000)

(3) For the third school year that a teacher teaches in a high-poverty area, the credit is four thousand dollars (\$4,000).

(4) For the fourth year and subsequent years that a teacher teaches in a high-poverty area, the credit is five thousand dollars (\$5,000).

(c) This section applies to tax years beginning on or after January 1, 2004 and expires December 31, 2015.

(d) The Director of the Department of Finance and Administration shall promulgate rules necessary to implement this tax credit.

/s/ J. Elliott

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Weaver, **HOUSE BILL NO. 1021** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1021**

Amend **HOUSE BILL NO. 1021** as engrossed,

H12/11/03 (version: 12-11-2003 09:30):

Page 4, delete lines 10 through 12 and substitute the following:

"(f)(1) For the 2004-2005 school year, fine arts to include the appreciation and application of visual arts instruction and performing arts instruction, including forty (40) minutes of art or music each week.

(2) For the 2005-2006 school year and subsequent years, the provisions of § 6-16-130(b) shall apply."

AND

Page 6, delete lines 30 through 32 and substitute the following:

"(B) For grades nine through twelve (9-12), students must be offered at least one-half (1/2) unit of instruction on personal finance to include instruction on taxes, debt, credit, and insurance."

AND

Page 7, line 27, delete "less" and substitute "more"

AND

Page 9, delete line 26 and substitute the following:

"education.

(iii) One-half (1/2) unit must be in personal finance."

AND

Page 11, delete line 27 and substitute the following:

"areas, or both, but must include one-half (1/2) unit of personal finance."

AND

Page 14, delete line 25 and substitute the following:

"conditions appropriate for subjects or activities assigned."

6-16-1204. Monitoring of school districts.

(a) The Department of Education shall monitor each school district to ensure that:

(1) The content of each course offered by the school district is consistent with content standards and curriculum frameworks developed by the State Board of Education and is presented to students in a manner that is rigorous, specific, sequenced, clear, focused, and measurable; and

(2) All required courses are taught each year.

(b) The department shall verify that each school district is complying with subsection (a) of this section during the standards review visit of the school district.

(c) If the department determines that a school district has failed to align the content of each class and subject area as required by the state board to content standards and curriculum frameworks developed by the state board, the department shall:

(1) Note the failure to comply in the annual school performance report under § 6-15-1402; and

(2) Cite the failure of each school to comply in the Standards for Accreditation of Arkansas Public Schools annual report."

AND

Page 17, delete line 1 and substitute the following:

"comprised of grades kindergarten through eight (K-8) or grades kindergarten through six (K-6)."

AND

Delete SECTION 3, SECTION 4, and SECTION 5 and substitute the following:

"SECTION 3. Arkansas Code Title 6, Chapter 17, is amended to add the following subchapter:

6-17-2401. Title.

This subchapter shall be known and may be cited as the "Minimum Teacher Compensation Act of 2003".

6-17-2402. Legislative intent.

The intent of this subchapter is for the State of Arkansas to create a teacher compensation system that:

(1) Drives improvements in student academic achievement;

(2) Attracts and retains the best teachers possible;

(3) Provides teachers with meaningful and rewarding opportunities for advancement in the profession based on the acquisition of skills that enhance instructional excellence and student learning, taking on leadership roles, and making exceptional professional contributions;

(4) Motivates and provides financial incentives for teacher efforts and performance that leads directly to improved student achievement;

(5) Encourages and rewards teachers individually for increasing their knowledge, skills, and competencies, and rewards teachers collectively for improving student performance;

(6) Promotes a sense of ownership for student results and a commitment to perform in a manner that promotes student achievement;

(7) Promotes professional collegial cooperation;

(8) Causes teachers to have a keen understanding of what is expected of them and the priorities of the state; and

(9) Will be affordable, somewhat predictable, and in keeping with the state's educational and fiscal objectives.

6-17-2403. Definitions.

As used in this subchapter:

(1) "Basic contract" means a teacher employment contract for a number of days that does not exceed the number of days in the school year required by the State Board of Education for accreditation for the school year in which the contract is effective;

(2) "Knowledge and skills-based pay system" is the compensation system established in § 6-17-2405; and

(3) "Teacher" means any full-time employee of a public school district who is compelled by law to secure a license from the state board as a condition precedent to employment in a position in or related to grades pre-kindergarten through twelve (preK-12) of the public schools of this state.

6-17-2404. Minimum teacher compensation schedule for 2004-2005.

(a) In school year 2004-2005 and each year thereafter, the board of directors in each school district in the state shall pay their teachers upon a salary schedule that:

(1) Has annual increments for education and experience;

(2) Provides for a base salary; and

(3) Provides for a minimum salary for a teacher with a master's degree and at least fifteen (15) years of experience.

(b)(1) In school year 2004-2005, each school district whose teachers have not been assessed shall have in place a salary schedule with at least the following levels of compensation for the basic contract:

<u>Years Experience</u>	<u>BA Degree Salary</u>	<u>MA Degree Salary</u>
<u>0</u>	<u>\$28,000</u>	<u>\$31,080</u>
<u>1</u>	<u>28,444</u>	<u>31,590</u>
<u>2</u>	<u>28,888</u>	<u>32,100</u>
<u>3</u>	<u>29,332</u>	<u>32,610</u>
<u>4</u>	<u>29,776</u>	<u>33,120</u>
<u>5</u>	<u>30,220</u>	<u>33,630</u>
<u>6</u>	<u>30,664</u>	<u>34,140</u>
<u>7</u>	<u>31,108</u>	<u>34,650</u>
<u>8</u>	<u>31,552</u>	<u>35,160</u>

<u>9</u>	<u>31,996</u>	<u>35,670</u>
<u>10</u>	<u>32,440</u>	<u>36,180</u>
<u>11</u>	<u>32,884</u>	<u>36,690</u>
<u>12</u>	<u>33,328</u>	<u>37,200</u>
<u>13</u>	<u>33,772</u>	<u>37,710</u>
<u>14</u>	<u>34,216</u>	<u>38,220</u>
<u>15 years or more</u>	<u>34,660</u>	<u>38,730</u>

(2) For purposes of the salary schedule defined in this subsection (b), the teacher's experience shall be his or her total years in any public school district in the state, and shall not be based only upon the years in the school district in which he or she is currently employed.

6-17-2405. Knowledge and skills-based pay after 2004-2005.

(a) In school year 2005-2006, the board of directors of each school district whose teachers have been assessed shall pay their teachers upon a salary schedule that:

- (1) Has annual increments for education and experience;
- (2) Provides for a base salary; and
- (3) Provides for a minimum salary for a teacher with a master's degree and at least fifteen (15) years of experience.

(b)(1) In school year 2005-2006 and each school year thereafter, each school district in the state shall have in place a salary schedule with at least the following levels of compensation for the basic contract:

<u>Skill Level</u>	<u>Step Within Level</u>	<u>Salary</u>	<u>Percent Step</u>
<u>Entry</u>	<u>1</u>	<u>\$28,000</u>	<u>0%</u>
	<u>2</u>	<u>28,560</u>	<u>2%</u>
	<u>3</u>	<u>29,131</u>	<u>2%</u>
<u>Emerging Career</u>	<u>1</u>	<u>31,898</u>	<u>9.5%</u>
	<u>2</u>	<u>32,536</u>	<u>2%</u>
	<u>3</u>	<u>33,187</u>	<u>2%</u>
<u>Career</u>	<u>1</u>	<u>36,340</u>	<u>9.5%</u>
	<u>2</u>	<u>37,066</u>	<u>2%</u>
	<u>3</u>	<u>37,808</u>	<u>2%</u>
	<u>4</u>	<u>38,564</u>	<u>2%</u>
<u>Master</u>	<u>1</u>	<u>42,228</u>	<u>9.5%</u>
	<u>2</u>	<u>43,072</u>	<u>2%</u>
	<u>3</u>	<u>43,934</u>	<u>2%</u>
	<u>4</u>	<u>44,812</u>	<u>2%</u>
<u>Arkansas Fellow</u>	<u>1</u>	<u>49,069</u>	<u>9.5%</u>

(2) For purposes of the knowledge and skills-based pay system, when a teacher moves from one (1) school district to another, the teacher shall be placed in an equivalent position in terms of skill level and steps within the level on the salary schedule of the school district to which the teacher moves.

(c)(1) No person without a standard teaching license issued by the State Board of Education may advance from entry skill level to emerging career skill level.

(2) For a person to advance from emerging career skill level to each successive skill level, that person must demonstrate sufficient increases in knowledge and skills and the ability to use those knowledge and skills to advance student achievement, in accordance with rules promulgated by the state board. The basis for advancement shall not be based only on student achievement.

(3) A person shall advance from the entry skill level to the emerging career skill level within three (3) years or be subject to termination.

(4) A person shall remain in the emerging career skill level for at least one (1) year before requesting promotion to the career skill level.

(5) A person shall spend at least three (3) years in the career skill level before requesting promotion to the master skill level.

(6) The Arkansas fellow skill level is reserved for teachers who become National Board Certified or complete the Master Teacher Program.

(d)(1) Any person who has reached the highest step within a level without advancing to the next skill level shall continue to receive increases in teacher pay equal to two percent (2%) per year.

(2) If the person then advances to the next skill level, the person's compensation shall increase by nine and one-half percent (9.5%) and shall continue to increase by two percent (2%) each school year thereafter until the Arkansas fellow skill level is attained.

(e) A person who has attained the Arkansas fellow skill level shall only receive cost-of-living increases.

6-17-2406. Compensation system transition.

(a)(1) Before July 1, 2004, the State Board of Education shall promulgate rules to implement all aspects of the knowledge and skills-based pay system in § 6-17-2405.

(2) The state board shall work in cooperation with the House Interim Committee on Education and the Senate Interim Committee on Education and any subcommittees created by those committees while creating the rules.

(b) During the 2004-2005 school year, the Department of Education shall pilot and evaluate the knowledge and skills-based pay system under § 6-17-2404 in a limited number of school districts.

(c) During the 2004-2005 school year, the department shall preliminarily determine where each teacher will be located on the knowledge and skills-based pay system under § 6-17-2405.

(d) Beginning July 1, 2005, the knowledge and skills-based pay system under § 6-17-2405 shall be in full force and effect.

6-17-2407. Additional pay for certain teacher qualities.

(a)(1) For the school year 2004-2005 and every school year thereafter, school districts shall pay a teacher an additional four and six tenths percent (4.6%) of the teacher's salary if the teacher teaches in an academic field in which there is a shortage of teachers.

(2) The State Board of Education shall determine for each school year the academic areas in which there is a shortage of teachers.

(b)(1) For the school year 2004-2005 and every school year thereafter, school districts shall pay a teacher an additional ten percent (10%) of the teacher's salary if the teacher teaches in a geographic area in which there is difficulty in recruiting and retaining teachers.

(2) The state board shall determine for each school year the geographic areas in which there is a difficulty in recruiting and retaining teachers.

6-17-2408. Monitoring and assessment of the compensation system.

(a) The State Board of Education shall promulgate rules establishing a system for the monitoring and assessment of the implementation and continuation of the knowledge and skills-based pay system.

(b) The Director of the Department of Education shall establish a unit within the department that is charged with the monitoring, training, and assessment duties required by this subchapter.

6-17-2409. Future adjustments of the compensation system.

Each biennium, the House Interim Committee on Education and the Senate Interim Committee on Education shall analyze the compensation levels provided in this subchapter, review relevant data, and make recommendations to the General Assembly for any adjustments to the compensation levels as needed to further the objective provided in § 6-17-2402.

6-17-2410. Salary amount.

(a) The Arkansas Teachers' Salaries Study Commission created under § 6-17-806 shall annually review the minimum base salary of certified teachers for grades kindergarten through twelve (K-12) and make recommendations to the Department of Education, the Governor, and the General Assembly for modifications as the commission shall deem appropriate.

(b) The State Board of Education may authorize the department to permit a school district to pay a teacher or teachers an amount exceeding, but not less than, the amount set forth in the teacher salary schedule, if:

(1) The department has determined that the school district has a critical shortage of teachers;

(2) The teacher or teachers have a certification in a subject-matter area that the department has determined to have a critical shortage of teachers;

(3) The teacher's particular skills, performance, training, or experience would warrant a salary increase; or

(4) The school district or a particular school is experiencing a hardship in recruiting or retaining teachers because the teacher salary schedule is significantly disproportionate to the average salaries paid in other available job markets in the county.

(c) The requirements in subsection (b) of this section do not place a cap or maximum on the amount that school districts may pay their teachers.

(d) The salary schedule implemented by this subchapter shall only be valid if completely funded by appropriations from the General Assembly. If a lesser amount than is required to fully fund the salary schedule in each district is funded by the General Assembly, the school district's requirement will be proportionately reduced and the minimum salary schedule required shall be reduced proportionately to the reduction in funding made available.

6-17-2411. Incentives.

(a) The Department of Education shall establish and fund financial incentives for:

(1) Geographic and subject-matter areas in which a critical shortage of teachers exists; and

(2) Schools determined by the State Board of Education to need assistance in recruiting and retaining good certified teachers because those schools have:

(A) Seventy-five percent (75%) or more of their students performing below basic on the state benchmark tests;

(B) A three-year history of low student performance based on the definitions of the Arkansas Comprehensive Testing, Assessment, and Accountability Program; or

(C) Been unsuccessful in recruiting and maintaining teachers based on the salary schedule of the district.

(b) The incentives are as follows:

(1)(A) A loan forgiveness or scholarship program to recruit high quality people to teach in the areas identified under subsection (a) of this section.

(B) The amount of scholarship or loan amount forgiven is limited to two thousand five hundred dollars (\$2,500) per calendar year for up to four (4) years if the teacher teaches in an area identified under subsection (a) of this section.

(C) The state board shall promulgate regulations to implement this program; and

(2) A salary of up to one hundred ten percent (110%) of the certified salary of the district in which the teacher is hired if:

(A) Either:

(i) The teacher participates in an initial rigorous twenty-day training session focused on improving student achievement; or

(ii) The school employing the teacher demonstrates improved student performance by reaching adequate yearly progress minimum levels for students as outlined in the Arkansas plan for meeting the federal No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., and the Arkansas Comprehensive Testing, Assessment, and Accountability Program.

(B) For every school year that a teacher fails to meet the requirements of either subdivision (b)(2)(A)(i) or subdivision (b)(2)(A)(ii) of this section, the teacher shall participate annually in the regular twenty-day training session for teachers on improving student achievement until one (1) of those provisions is met or sustained, or both.

(c)(1) Each school district desiring to participate in the financial incentive programs available under this section must file a request with the state board by January 1 of the school year prior to the school year for which the incentives may be available.

(2) Based upon the school district's request and any additional information required by the department or the state board, the state board shall determine whether the requirements of subsection (a) of this section have been met and notify the district of the decision.

SECTION 4. Arkansas Code Title 6, Chapter 10, Subchapter 1 is amended to add two additional sections to read as follows:

6-10-118. Economic and academic efficiency.

(a) The General Assembly finds that:

(1) The Arkansas Constitution states that the State of Arkansas shall provide a "general, suitable, and efficient" education for the students in Arkansas Public Schools; and

(2) In order to meet the efficiency standard that is constitutionally prescribed, efficiency shall be defined in terms of educational efficiency and economic efficiency.

(b)(1) Academic and economic efficiency shall be measured:

(A) On a one-hundred-point scale covering both educational efficiency and economic efficiency; and

(B) Through the awarding of extra points for poverty, minority population, and special education population.

(2) The one-hundred-point scale through which schools may achieve a satisfactory score for academic and economic efficiency shall be as follows:

(A) Educational efficiency shall be measured through:

(i) Norm-referenced testing for a maximum of twenty-five (25) points; and

(ii) Criterion-referenced testing for a maximum of twenty-five (25) points; and

(B) Economic efficiency shall be measured by expenditures per student for a maximum of fifty (50) points.

(3) Additional points shall be awarded to schools based on:

(A) Poverty as identified by the number of students eligible for a free and reduced-price lunch;

(B) The number of minority students; and

(C) The number of students receiving special education.

(4) The economic efficiency standard shall apply for school years 2004-2005 and each year thereafter. The academic efficiency standards shall apply for school years 2006-2007 and each year thereafter.

(c)(1) By the end of the 2004-2005 school year and each year thereafter, each school district must satisfactorily meet the economic efficiency standard of this subsection (c).

(2)(A) A state average expenditure per student shall be determined by the Department of Education utilizing the third-quarter average daily membership, and considering only state and local funds for purposes of determining economic efficiency points.

(B) Federal funds shall be excluded from the calculation under this subsection (c).

(C) Supplemental funds that may be distributed to school districts for special circumstances, including funds for students in poverty and high cost special education students, shall be excluded from the calculation under this subsection (c).

(3)(A) For purposes of this subsection (c), the computation of a school district's percentage of the state average expenditure per student shall be to the nearest whole number.

(B) School districts that expend from eighty-five percent (85%) to one hundred fifteen percent (115%) of the state average expenditure per student shall qualify for the full fifty (50) economic efficiency points.

(C) School districts that spend less than eighty-five percent (85%) of the state average expenditure per student or more than one hundred fifteen percent (115%) of the state average expenditure per student shall be awarded a pro rata share of the fifty (50) points based on the following scale:

<u>Percent of State Average Expenditure</u>	<u>Points</u>
<u>84% or 116%</u>	<u>49 points</u>
<u>83% or 117%</u>	<u>48 points</u>
<u>82% or 118%</u>	<u>47 points</u>
<u>81% or 119%</u>	<u>46 points</u>
<u>80% or 120%</u>	<u>45 points</u>
<u>79% or 121%</u>	<u>44 points</u>
<u>78% or 122%</u>	<u>43 points</u>
<u>77% or 123%</u>	<u>42 points</u>
<u>76% or 124%</u>	<u>41 points</u>
<u>75% or 125%</u>	<u>40 points</u>
<u>74% or 126%</u>	<u>39 points</u>
<u>73% or 127%</u>	<u>38 points</u>
<u>72% or 128%</u>	<u>37 points</u>
<u>71% or 129%</u>	<u>36 points</u>
<u>70% or 130%</u>	<u>35 points</u>
<u>69% or 131%</u>	<u>34 points</u>
<u>68% or 132%</u>	<u>33 points</u>
<u>67% or 133%</u>	<u>32 points</u>
<u>66% or 134%</u>	<u>31 points</u>
<u>65% or 135%</u>	<u>30 points</u>
<u>64% or 136%</u>	<u>29 points</u>
<u>63% or 137%</u>	<u>28 points</u>
<u>62% or 138%</u>	<u>27 points</u>
<u>61% or 139%</u>	<u>26 points</u>
<u>60% or 140%</u>	<u>25 points</u>
<u>59% or 141%</u>	<u>24 points</u>

<u>58% or 142%</u>	<u>23 points</u>
<u>57% or 143%</u>	<u>22 points</u>
<u>56% or 144%</u>	<u>21 points</u>
<u>55% or 145%</u>	<u>20 points</u>
<u>54% or 146%</u>	<u>19 points</u>
<u>53% or 147%</u>	<u>18 points</u>
<u>52% or 148%</u>	<u>17 points</u>
<u>51% or 149%</u>	<u>16 points</u>
<u>50% or 150%</u>	<u>15 points</u>
<u>49% or 151%</u>	<u>14 points</u>
<u>48% or 152%</u>	<u>13 points</u>
<u>47% or 153%</u>	<u>12 points</u>
<u>46% or 154%</u>	<u>11 points</u>
<u>45% or 155%</u>	<u>10 points</u>
<u>44% or 156%</u>	<u>9 points</u>
<u>43% or 157%</u>	<u>8 points</u>
<u>42% or 158%</u>	<u>7 points</u>
<u>41% or 159%</u>	<u>6 points</u>
<u>40% or 160%</u>	<u>5 points</u>
<u>39% or 161%</u>	<u>4 points</u>
<u>38% or 162%</u>	<u>3 points</u>
<u>37% or 163%</u>	<u>2 points</u>
<u>36% or 164%</u>	<u>1 point</u>
<u>35% and below</u>	<u>0 points</u>
<u>165% and above</u>	<u>0 points</u>

(4) By the end of school year 2004-2005, a school district must earn a minimum of thirty-five (35) points under this subsection (c) or be subject to a one-year probation. If a school district fails to meet economic efficiency after one (1) year of probation, the school district shall be subject to the probationary sanctions of The Quality Education Act of 2003, § 6-15-201 et seq.

(d)(1) For the school year 2006-2007 and each school year thereafter, a school district shall meet the academic efficiency standards of norm-referenced testing and criterion-referenced testing of subsections (d) and (e) of this section.

(e)(1) Nationally norm-referenced testing shall be offered to every student in each school district each year.

(2)(A) For the school year 2006-2007 and each school year thereafter, a school district shall be awarded twenty (25) points if the school district meets or exceeds the fiftieth percentile rank in its composite scores based on the data of the

current school year.

(B) If a school district falls below the fiftieth percentile rank in the composite scores based on the most current three (3) years of data, the district shall be awarded a pro rata share of the twenty-five (25) points based on the achievement scores of that school district.

(C) However, no school district may receive points for norm-referenced testing if that district has a percentile ranking below the twenty-fifth percentile.

(3) A sliding scale shall be used to determine norm-referenced testing points awarded to districts as follows:

<u>Percentile</u>	<u>Points</u>
<u>50th percentile and above</u>	<u>25 points</u>
<u>49th</u>	<u>24 points</u>
<u>48th</u>	<u>23 points</u>
<u>47th</u>	<u>22 points</u>
<u>46th</u>	<u>21 points</u>
<u>45th</u>	<u>20 points</u>
<u>44th</u>	<u>19 points</u>
<u>43rd</u>	<u>18 points</u>
<u>42nd</u>	<u>17 points</u>
<u>41st</u>	<u>16 points</u>
<u>40th</u>	<u>15 points</u>
<u>39th</u>	<u>14 points</u>
<u>38th</u>	<u>13 points</u>
<u>37th</u>	<u>12 points</u>
<u>36th</u>	<u>11 points</u>
<u>35th</u>	<u>10 points</u>
<u>34th</u>	<u>9 points</u>
<u>33rd</u>	<u>8 points</u>
<u>32nd</u>	<u>7 points</u>
<u>31st</u>	<u>6 points</u>
<u>30th</u>	<u>5 points</u>
<u>29th</u>	<u>4 points</u>
<u>28th</u>	<u>3 points</u>
<u>27th</u>	<u>2 points</u>
<u>26th</u>	<u>1 point</u>
<u>25th and below</u>	<u>0 points</u>

(f)(1) The state benchmark exam, end-of-course algebra and geometry

exams, end-of-course literacy exam, and end-of-course biology exam, if available, and any other criterion-referenced tests that are developed and implemented by the department under the Arkansas Comprehensive Testing, Assessment, and Accountability Program regulations shall be used to award the criterion-referenced test points for the school year 2006-2007 and each school year thereafter.

(2) The percentage of students rated proficient or advanced for each school district shall be computed for all criterion-referenced tests given.

(3)(A) The full twenty-five (25) points shall be awarded to a school district if seventy-five percent (75%) of the students achieve proficient or advanced status.

(B) No school district shall receive points for criterion-referenced tests if an average of more than twenty-five percent (25%) of its students do not reach the proficient or advanced status for the criterion-referenced tests.

(C) Pro rata points shall be awarded on a sliding scale as follows:

<u>Percent</u>	<u>Points</u>
<u>75% and above</u>	<u>25 points</u>
<u>74%</u>	<u>24.5 points</u>
<u>73%</u>	<u>24 points</u>
<u>72%</u>	<u>23.5 points</u>
<u>71%</u>	<u>23 points</u>
<u>70%</u>	<u>22.5 points</u>
<u>69%</u>	<u>22 points</u>
<u>68%</u>	<u>21.5 points</u>
<u>67%</u>	<u>21 points</u>
<u>66%</u>	<u>20.5 points</u>
<u>65%</u>	<u>20 points</u>
<u>64%</u>	<u>19.5 points</u>
<u>63%</u>	<u>19 points</u>
<u>62%</u>	<u>18.5 points</u>
<u>61%</u>	<u>18 points</u>
<u>60%</u>	<u>17.5 points</u>
<u>59%</u>	<u>17 points</u>
<u>58%</u>	<u>16.5 points</u>
<u>57%</u>	<u>16 points</u>
<u>56%</u>	<u>15.5 points</u>
<u>55%</u>	<u>15 points</u>
<u>54%</u>	<u>14.5 points</u>

<u>53%</u>	<u>14 points</u>
<u>52%</u>	<u>13.5 points</u>
<u>51%</u>	<u>13 points</u>
<u>50%</u>	<u>12.5 points</u>
<u>49%</u>	<u>12 points</u>
<u>48%</u>	<u>11.5 points</u>
<u>47%</u>	<u>11 points</u>
<u>46%</u>	<u>10.5 points</u>
<u>45%</u>	<u>10 points</u>
<u>44%</u>	<u>9.5 points</u>
<u>43%</u>	<u>9 points</u>
<u>42%</u>	<u>8.5 points</u>
<u>41%</u>	<u>8 points</u>
<u>40%</u>	<u>7.5 points</u>
<u>39%</u>	<u>7 points</u>
<u>38%</u>	<u>6.5 points</u>
<u>37%</u>	<u>6 points</u>
<u>36%</u>	<u>5.5 points</u>
<u>35%</u>	<u>5 points</u>
<u>34%</u>	<u>4.5 points</u>
<u>33%</u>	<u>4 points</u>
<u>32%</u>	<u>3.5 points</u>
<u>31%</u>	<u>3 points</u>
<u>30%</u>	<u>2.5 points</u>
<u>29%</u>	<u>2 points</u>
<u>28%</u>	<u>1.5 points</u>
<u>27%</u>	<u>1 point</u>
<u>26%</u>	<u>0.5 points</u>
<u>25% and below-zero</u>	<u>0 points</u>

(g) For the school year 2006-2007 and each school year thereafter, if a school district's student population is comprised of a student body with fifty percent (50%) or more classified in poverty as identified by the number of students qualifying for the free and reduced-price lunch programs, one (1) bonus point will be awarded for every five percent (5%) of the student population qualifying for the free and reduced-price lunch programs above the fifty percent (50%) base as follows:

(1) Fifty-one percent to fifty-five percent (51%-55%) shall be awarded one (1) bonus point;

(2) Fifty-six percent to sixty percent (56%-60%) shall be awarded two

(2) bonus points:

(3) Sixty-one percent to sixty-five percent (61%-65%) shall be awarded three (3) bonus points;

(4) Sixty-six percent to seventy percent (66%-70%) shall be awarded four (4) bonus points;

(5) Seventy-one percent to seventy-five percent (71%-75%) shall be awarded five (5) bonus points;

(6) Seventy-six percent to eighty percent (76%-80%) shall be awarded six (6) bonus points;

(7) Eighty-one percent to eighty-five percent (81%-85%) shall be awarded seven (7) bonus points;

(8) Eighty-six percent to ninety percent (86%-90%) shall be awarded eight (8) bonus points;

(9) Ninety-one percent to ninety-five percent (91%-95%) shall be awarded nine (9) bonus points; and

(10) Ninety-six percent to one hundred percent (96%-100%) shall be awarded ten (10) bonus points.

(h)(1) For purposes of subdivision (h)(2) of this section, the minority student population of a school district shall be determined from the Arkansas Public School Computer Network cycle 2 report required to be filed with the department.

(2) For the school year 2006-2007 and each school year thereafter, if a school district's student population is comprised of a student body with fifty percent (50%) or more of its students classified in a single minority group, one (1) bonus point will be awarded for every five percent (5%) increase above the fifty percent (50%) base as follows:

(A) Fifty-one percent to sixty percent (51%-60%) shall be awarded one (1) bonus point;

(B) Sixty-one percent to seventy percent (61%-70%) shall be awarded two (2) bonus points;

(C) Seventy-one percent to eighty percent (71%-80%) shall be awarded three (3) bonus points;

(D) Eighty-one percent to ninety percent (81%-90%) shall be awarded four (4) bonus points; and

(E) Ninety-one percent to one hundred percent (91%-100%) shall be awarded five (5) bonus points.

(i)(1) For the school year 2006-2007 and each school year thereafter, bonus points shall be awarded to a school district having a disproportionate number of high-cost special needs students if the school district's expenditures for special

education and special needs students exceeds the state requirement for those expenditures.

(2) Points will be awarded for every ten percent (10%) increase above expenditure requirements as follows:

(A) One percent to ten percent (1%-10%) shall be awarded one (1) bonus point;

(B) Eleven percent to twenty percent (11%-20%) shall be awarded two (2) bonus points;

(C) Twenty-one percent to thirty percent (21%-30%) shall be awarded three (3) bonus points;

(D) Thirty-one percent to forty percent (31%-40%) shall be awarded four (4) bonus points; and

(E) Forty-one percent (41%) and above shall be awarded five (5) bonus points.

(j)(1) By the end of the 2006-2007 school year and every school year thereafter, each school district shall be evaluated using the criteria established in subsections (c) through (i) of this section.

(2)(A) A school district that earns at least a total of seventy (70) points under subsections (c) through (i) of this section shall be considered to meet the economic and academic efficiency standards of this section.

(B)(i) If a school district fails to earn at least seventy (70) points under subsections (c) through (i) of this section, the school district shall be placed on probation for one (1) year.

(ii) If the school district fails to earn the minimum seventy (70) points at the end of the year of probation, the school district shall be subject to additional probationary sanctions of The Quality Education Act of 2003, § 6-15-201 et seq.

6-10-119. Failure to meet standards.

(a)(1)(A) At the end of the 2004-2005 school year, the Department of Education shall review pertinent information to ascertain whether or not each school district has met the requirements of § 6-16-1201.

(B) The department shall report its findings to the State Board of Education.

(2) School districts not meeting the requirements of § 6-16-1201 by the end of the 2004-2005 school year shall be subject to the sanctions described in subdivision (c)(2) of this section.

(b)(1) After the 2004-2005 school year, the department shall review annually

pertinent information from every school district to ensure that the district and schools are in compliance with the requirements of § 6-16-1201.

(2) The department shall report its findings to the state board.

(c)(1) The state board or the Director of the Department of Education shall take immediate action concerning any school district that fails to meet all of the requirements of § 6-16-1201 in any given year.

(2) A school district that does not meet the standards for accreditation in § 6-16-1203 shall be subject to citation and probation as outlined in The Quality Education Act of 2003, § 6-15-201 et seq.

(3) School districts that do not meet the teacher salary requirements as established by the General Assembly or the efficiency standards of § 6-10-118 in any given year shall be placed in year-one probation.

(d) In the first year of probation, actions against school districts may include:

(1) Requiring a school district to institute and fully implement a curriculum that is based on state academic content and academic content and achievement standards, including providing appropriate professional development to be paid by the district;

(2)(A) Assigning a task force to evaluate the deficiencies of the district and to assist the district in enacting corrective measures.

(B) The task force shall work under the authority of the director.

(C) The task force shall include representatives from the department, teachers, administrators from other school districts, and other stakeholders such as community leaders and business interests; and

(3) Taking any other appropriate action allowed by law and determined by the state board to assist a failing school district in meeting the requirements of § 6-16-1201.

(e)(1) School districts that have been placed on probationary status because of a deficiency in accreditation standards shall correct the deficiency causing the probationary status by the end of the second consecutive school year.

(2) Failure to correct the deficiency shall allow the state board to select appropriate action that would best serve the educational needs of the children in the failing district.

(3) The actions available for state board selection may include:

(A) Requiring a school district to reorganize or reassign the administrative, instructional, or support staff of a public school;

(B) Removing a particular school from the jurisdiction of the school district and establishing alternative public governance and supervision of the school or schools;

(C) Requiring a school district to close down or dissolve a particular school or schools within a school district;

(D) Annexing a school district or districts or parts of a district with another receiving school district or districts;

(E) Consolidating a school district or districts or parts of a school district with another receiving school district or districts;

(F)(i) Reconstituting the leadership of a school district by removing permanently or suspending on a temporary basis the superintendent of the school district or any particular board member of a school district.

(ii) The state board may appoint an administrator or call for the election of new school board members to administer the affairs and provide governance of the school district, or both; and

(G) Taking any other appropriate action allowed by law to assist and address a school or school district failing to meet the standards for accreditation.

(f) School districts that exist on the effective date of this section and that are reorganized by the state board shall retain a local school comprised of grades kindergarten through eight (K-8).

(g)(1) The state board may take into consideration the isolated factors relating to a school district's circumstances and may make decisions on the proper course of action best suited for that district and its students.

(2) The state board may exempt a school district from the provisions of this section but only at the discretion of the state board or as provided in Arkansas law.

(h)(1) The decisions of the state board shall be final with no further right of appeal.

(2) However, a school district may appeal to the circuit court in the county seat in which the school district is located or to the Pulaski County Circuit Court under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

SECTION 5. Arkansas Code §§ 6-17-1001 through 6-17-1004 are repealed.

~~6-17-1001. Minimum base salary - Master's degree.~~

~~(a)(1) The board of directors in each school district in the state shall pay its teachers upon a salary schedule which has annual increments for education and experience and which provides for a base salary, a minimum salary for a teacher with a master's degree, and at least fifteen (15) years of experience as described in this section.~~

~~(2) Beginning with the 2003-2004 school year, the teacher's experience for purposes of salary and benefits shall be his or her total years in any~~

~~school district in the state and shall not be based on only the years in the district in which he or she is currently employed.~~

~~(b) In school year 2000-2001 and in each school year thereafter, no school district shall pay its teachers with a bachelor's degree and no experience less than twenty-one thousand eight hundred sixty dollars (\$21,860).~~

~~(c) In school year 2000-2001 and in each school year thereafter, school districts shall pay teachers with a master's degree and no experience at least one hundred fifteen percent (115%) of the minimum base salary prescribed in subsection (b) of this section.~~

~~(d) In school year 2001-2002 and in each school year thereafter, school districts shall pay a teacher with a master's degree and at least fifteen (15) years of experience one hundred fifty percent (150%) of the state minimum base salary.~~

~~(e)(1) In school year 1995-1996 and in each school year thereafter, each school district in the state shall have in place a salary schedule which provides at least fourteen (14) annual increments for experience.~~

~~(2) In school year 2001-2002 and in each school year thereafter, each school district in the state shall have in place a salary schedule which provides at least fifteen (15) annual increments for experience.~~

~~(3) In school year 2001-2002 and in each school year thereafter, each school district in the state shall have in place a salary schedule with at least the following minimum levels of compensation:~~

<del>Years Experience</del>	<del>BA Degree Salary</del>	<del>MA Degree Salary</del>
<del>0</del>	<del>\$21,860</del>	<del>\$25,139</del>
<del>1</del>	<del>22,304</del>	<del>25,649</del>
<del>2</del>	<del>22,748</del>	<del>26,159</del>
<del>3</del>	<del>23,192</del>	<del>26,669</del>
<del>4</del>	<del>23,636</del>	<del>27,179</del>
<del>5</del>	<del>24,080</del>	<del>27,689</del>
<del>6</del>	<del>24,524</del>	<del>28,199</del>
<del>7</del>	<del>24,968</del>	<del>28,709</del>
<del>8</del>	<del>25,412</del>	<del>29,219</del>
<del>9</del>	<del>25,856</del>	<del>29,729</del>
<del>10</del>	<del>26,300</del>	<del>30,239</del>
<del>11</del>	<del>26,744</del>	<del>30,749</del>
<del>12</del>	<del>27,188</del>	<del>31,259</del>
<del>13</del>	<del>27,632</del>	<del>31,769</del>
<del>14</del>	<del>28,076</del>	<del>32,279</del>
<del>15 or more</del>	<del>28,520</del>	<del>32,789</del>

~~(f) For the 1997-98 school year and for each year thereafter, each school district shall provide no less than four hundred-dollar increments for experience for teachers with one (1) and two (2) years of experience.~~

~~(g) For the 1998-1999 school year and for each year thereafter, each school district shall provide no less than four hundred-dollar increments for experience for teachers with three (3) and four (4) years of experience.~~

~~(h) For the 1999-2000 school year and for each year thereafter, each school district shall provide no less than four hundred-dollar increments for experience for teachers with five (5) and six (6) years of experience.~~

~~(i) For the 2000-2001 school year and for each year thereafter, each school district shall provide no less than four hundred-dollar increments for experience for teachers with seven (7) and eight (8) years of experience.~~

~~(j) For the 2001-2002 school year and for each year thereafter, each school district shall provide no less than four hundred-dollar increments for experience for teachers with nine (9) and ten (10) years of experience.~~

~~(k) For the 2002-2003 school year and for each year thereafter, each school district shall provide no less than four hundred-dollar increments for experience for teachers with eleven (11) and twelve (12) years of experience.~~

~~(l)(1) For the 2003-2004 school year and for each year thereafter, each school district shall provide no less than four hundred-dollar increments for experience for teachers with thirteen (13) years of experience.~~

~~(2) For the 2004-2005 school year and for each year thereafter, each school district shall provide no less than four hundred-dollar increments for experience for teachers with fourteen (14) years of experience.~~

~~(3) For the 2005-2006 school year and for each year thereafter, each school district shall provide no less than four hundred-dollar increments for experience for teachers with fifteen (15) years of experience.~~

~~(m) Subsections (f)-(l) of this section shall not apply to any local school district whose minimum salary for teachers exceeds twenty one thousand eight hundred sixty dollars (\$21,860) and whose average salary exceeds the state average salary for teachers for the previous year.~~

~~(n) As used in this section, "teacher" shall include any full-time employee of a local public school district:~~

~~(1) Who is compelled by law to secure a license from the State Board of Education as a condition precedent to employment in a position in or related to grades prekindergarten through twelve (preK-12) of the public schools of this state; and~~

~~(2) Who is:~~

~~(A) Engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time;~~

~~(B) A guidance counselor; or~~

~~(C) A librarian.~~

~~(e) All minimum salaries set forth in this section shall be for a contract number of days that is not more than the number of days in the school year required by the State Board of Education's regulations for accreditation for the school year in which the contract is effective.~~

~~(p)(1) A district that determines that it cannot meet the minimum salary requirements of this section from funds available may petition the Department of Education for a waiver of the requirements of this section for up to three (3) school years based on regulations promulgated by the State Board of Education.~~

~~(2) The department shall not grant a waiver to any district that is not in compliance with the uniform rate of tax requirements under Arkansas Constitution, Amendment 74.~~

~~6-17-1002. Salary amount - Annual review.~~

~~(a) The salaries fixed herein shall be regarded as minimum salaries only, and each district may supplement such salaries. No teacher shall receive a reduced salary as a result of this subchapter's requirements.~~

~~(b) Base salary shall not be raised until all teachers within a district are paid equal to or greater than the minimum requirements established herein. Each school district shall develop its own salary schedule with salaries equal to or greater than the required minimums set forth herein.~~

~~(c) The Arkansas Teachers' Salaries Study Commission shall annually review the minimum base salary and make recommendations to the Department of Education, the Governor, and the General Assembly for such modifications as the commission shall deem appropriate.~~

~~6-17-1003. Enforcement - Appeal - Rules and regulations.~~

~~(a) The State Board of Education is empowered to enforce the provisions of this subchapter and is specifically authorized to order the dissolution and merger of any school district which fails to comply with the minimum salary requirements established by this subchapter. Any appeal from a decision of the board ordering the dissolution and merger of a school district for failure to comply with the provisions of this subchapter shall be filed in the Circuit Court of Pulaski County and must be filed within thirty (30) days of the decision of the board.~~

~~(b) The board shall issue rules and regulations to implement this subchapter.~~

~~6-17-1004. Salary goals.~~

~~(a) The personnel policies committees and negotiating teams established and maintained in Arkansas public schools are encouraged to set and meet five-year goals to substantially increase teacher salaries. In setting realistic yet meaningful salary goals, the committees and teams shall consider exceeding the state, regional Southern Regional Education Board states, border states, or national average salaries for teachers.~~

~~(b) Within two (2), four (4), and five (5) years following the adoption of this section, school districts shall report to the Arkansas Teachers' Salaries Study Commission and the Department of Education the goals developed, adopted, and met."~~

SECTION. 6. Arkansas Code Title 6, Chapter 17, Subchapter 21 is repealed.

~~6-17-2101. Title.~~

~~This subchapter, § 6-5-307(a), and § 6-20-412 shall be known as "The Educator Compensation Act of 2001".~~

~~6-17-2102. Legislative findings and intent.~~

~~(a) The General Assembly determines that:~~

~~(1) Salaries of Arkansas educators have traditionally lagged behind the salaries of educators in the nation and in the states that surround Arkansas;~~

~~(2) Even though educators have achieved annual increases of approximately three and two tenths percent (3.2%) in recent years, Arkansas is still far behind its neighboring states;~~

~~(3)(A) Nationally and within Arkansas, there has developed a shortage of qualified educators in certain fields of teaching.~~

~~(B) One of the reasons for this shortage is that Arkansas educators lag behind other professionals in salary amount;~~

~~(4) The most important part of a student's educational experience is the people who actually educate them; and~~

~~(5) It is necessary to attract qualified educators to the public education system in order to increase the achievement of all Arkansas public school students.~~

~~(b) It is the intent of the General Assembly that:~~

~~(1) This subchapter shall not supplant, but shall supplement, traditional pay increases that have occurred at the local level in recent years;~~

~~(2) School districts should not stop or alter any intentions to give educators a salary increase in the current school year because of the enactment of this subchapter; and~~

~~(3) This subchapter is the first of many steps that must be and shall be taken by the General Assembly to increase the quality of the working force in education over the upcoming years.~~

~~6-17-2103. Definitions.~~

~~As used in this subchapter, unless the context otherwise requires:~~

~~(1) "Required salary increase" means:~~

~~(A) For fiscal year 2002, an amount no less than one thousand dollars (\$1,000), excluding benefits and employer contributions to teacher retirement and social security, over a targeted educator's salary for fiscal year 2001; and~~

~~(B) For fiscal year 2003 an amount no less than three thousand dollars (\$3,000), excluding benefits and employer contributions to teacher retirement and social security, over a targeted educator's salary for fiscal year 2001;~~

~~(2) "Targeted educator" means an individual employed by a school district, and:~~

~~(A) Who must hold a certificate issued by the State Board of Education in order to be employed in the individual's present position; and~~

~~(B) Whose primary job responsibilities are for the education of public school students in grades prekindergarten through twelve (PK-12) and do not include districtwide administrative duties.~~

~~6-17-2104. Method for implementation.~~

~~(a) On or before June 30 of each fiscal year, each local school district shall have implemented the required salary increase or have received a waiver from the Department of Education under § 6-17-2105.~~

~~(b) A school district shall implement the required salary increase in a variety of methods, including:~~

~~(1) Increasing the base salaries of the targeted educators by the required salary increase;~~

~~(2) Paying a supplement to the salaries of the targeted educators at each step and each lane of the salary schedule equal to the required salary increase and making the supplement an addendum to the targeted educator's contract. The supplement, added to the targeted educator's regular salary, shall equal the targeted educator's total salary which shall be a continuing obligation; or~~

~~(3) A combination of subdivisions (b)(1) and (b)(2) of this section.~~

~~(c) Any school district utilizing the method stated in subsection (b)(2) of this section shall clearly mark those supplements under the title "Targeted Educator Compensation Act Supplement" in order to make the method easily identifiable. The "Targeted Educator Compensation Act Supplement" shall be incorporated into the salary schedule in the same way as other salary supplements under §§ 6-17-201 - 6-17-208.~~

~~(d) Notwithstanding the method used under subsection (b) of this section, the~~

required salary increase shall be a continuing salary obligation of the school districts.

~~(e) Targeted educators who work on a part-time basis or individuals who qualify as targeted educators on a part-time basis shall receive a pro rata share of the required salary increase equal to the proportion of time that they are employed.~~

~~(f)(1) Nothing in this section shall be construed to prohibit a school district from implementing the required salary increase for fiscal year 2003 by exceeding the required salary increase for fiscal year 2002 and paying the difference between the required salary increase for fiscal year 2003 and the actual amount applied to the required salary increase for fiscal year 2002.~~

~~(2) The legislative intent of this subchapter is that all targeted educators will receive a required salary increase of three thousand dollars (\$3,000) by fiscal year 2003.~~

~~(g)(1) Nothing in this subchapter shall be construed to allow the step increases for education and experience, required under § 6-17-1001, as currently established in the individual school district, to be applied to the required salary increase as meeting the requirements under the provisions of this subchapter.~~

~~(2) Nothing in this subchapter shall be construed as to allow any other method than increases in the base salary to fulfill the existing requirements of § 6-17-1001 pertaining to the minimum salaries of teachers.~~

~~(3) Nothing in this subchapter shall be construed to prohibit a school district from raising its salaries in excess of the required salary increase.~~

~~(h) Nothing in this subchapter shall be interpreted to preclude school district employees other than targeted educators from receiving a similar increase in salary.~~

~~(i) School districts are prohibited from instituting quid pro quo situations in which school districts extend the length of or add additional duties to the targeted educator's contract in return for the required salary increase.~~

~~(j) The required salary increase for targeted educators who are prekindergarten teachers shall only be required to be implemented if the local school district has sufficient funds available to completely implement the required salary increase for the given fiscal year.~~

#### ~~6-17-2105. Exemptions.~~

~~(a) Any local school district engaged in agreed-to collective bargaining with its certified staff shall be exempt from the provisions of this subchapter to the extent that school districts in collective bargaining shall negotiate on salaries and other terms and conditions of employment. This section in no way is to be interpreted as altering or replacing any collective bargaining agreement in place at the time of the enactment of this subchapter.~~

~~(b)(1) Any local school district may petition the Department of Education for a~~

~~waiver from the provisions of this subchapter.~~

~~(2) The waiver shall not be for a time greater than three (3) years.~~

~~(3) The process for the waiver shall be the same as the process for a local school district to receive a waiver under § 6-17-1001.~~

~~(4) Any local school district that petitions for and is granted a waiver from this subchapter shall be placed in Phase I of fiscal distress as defined under §§ 6-20-1601 - 6-20-1610.~~

~~6-17-2106. Regulatory authority and enforcement.~~

~~(a) The State Board of Education shall have the authority, acting pursuant to its rule-making power, to promulgate appropriate rules and regulations for the implementation of the provisions of this subchapter.~~

~~(b) The provisions of this subchapter shall be audited on an annual basis.~~

~~(c) Any school district that has been found to not be in compliance with the provisions of this subchapter shall be placed on Phase I fiscal distress under the provisions of § 6-20-1601 et seq."~~

AND

Renumber SECTION 6 as SECTION 7

/s/ Paul Weaver

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Boyd, **HOUSE BILL NO. 1018** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1018**

Amend **HOUSE BILL NO. 1018** as originally introduced:

Add Representatives Jacobs, Seawel, Hathorn, House, Bennett, King, Fite, Weaver, Rankin, Adams, Berry and Gillespie, as cosponsors of the bill

AND

Add Senators Gullett, Horn, and Lavery as cosponsors of the bill

AND

Page 2, delete lines 13 through 15 and substitute the following:

"(24) Taylor School District;  
(25) Umpire School District;  
(26) Williford School District; and  
(27) Winslow County School District."

AND

Page 2, line 20 delete "or" and substitute "and"

/s/ Travis Boyd

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
 Chief Clerk

Upon motion of Representative Boyd, **HOUSE BILL NO. 1018** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1018**

Amend **HOUSE BILL NO. 1018** as originally introduced:

Add Senator Wooldridge as a cosponsor of this bill

/s/ Travis Boyd

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
 Chief Clerk

ENGROSSED BILL REPORTS

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HERSCHEL W. CLEVELAND, CHAIRMAN

December 16, 2003

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1018 - TITLE - BY REPRESENTATIVE BOYD, ET AL

HOUSE BILL NO. 1021 BY REPRESENTATIVE WEAVER, ET AL

HOUSE BILL NO. 1040 BY REPRESENTATIVE J. ELLIOTT

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1018

---

BY: REPRESENTATIVES BOYD, CLEVELAND, MILLIGAN, *JACOBS, SEAWEL, HATHORN, HOUSE, BENNETT, KING, FITE, WEAVER, RANKIN, ADAMS, BERRY, GILLESPIE*

BY: *SENATORS GULLETT, HORN, LAVERTY, WOOLDRIDGE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUED SUPPORT OF ISOLATED SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

HOUSE RESOLUTION NO.1004

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BY: REPRESENTATIVE STOVALL

CONGRATULATING THE 2003 CONCORD HIGH SCHOOL PIRATES ON THEIR UNDEFEATED SEASON AND CLASS A STATE BASEBALL CHAMPIONSHIP.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES. RECEIVED UNANIMOUS SUPPORT,

Morning Hour Expired.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 13

---

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total .....	97
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: Bolin, Dangeau, L. Prater.	
Total .....	3
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	97
Total number voting in the affirmative .....	97
Necessary to the passage of the bill .....	75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **SENATE BILL NO. 13**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total .....	97
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: Bolin, Dangeau, L. Prater.	
Total .....	3
VOTING PRESENT:	
Total .....	0
Total number of votes cast.....	97
Total number voting in the affirmative .....	97
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

The House recessed at 1:45 p.m. until 4:30 p.m.

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

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SENATE BILL NO. 13 BY SENATOR GULLETT

ARKANSAS SENATE  
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

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HOUSE BILL NO. 1025 BY REPRESENTATIVE WEAVER

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

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Little Rock, Arkansas  
December 16, 2003

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1025 BY REPRESENTATIVE WEAVER

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 2:19 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Herschel W. Cleveland  
Chairman

RECEIPT FROM THE GOVERNOR

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RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1025 BY REPRESENTATIVE WEAVER

/s/ Mike Huckabee - Governor  
By: Stacy DeJarnett

TIME: 2:19 p.m.

HOUSE BILL NO. 1052

---

BY: REPRESENTATIVES HOUSE, BOLIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR ACQUIRING EQUIPMENT AND TELECOMMUNICATIONS SERVICES FOR DISTANCE LEARNING TWO-WAY INTERACTIVE TELEVISION FOR THE DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1053

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BY: REPRESENTATIVE C. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF INSTRUCTIONAL DUTIES IN RELATION TO ASSIGNMENT OF NONINSTRUCTIONAL DUTIES TO TEACHERS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1054

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BY: REPRESENTATIVE C. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE THE COMMITTEE ON CLOSING THE ACHIEVEMENT GAP IN ARKANSAS A COMMISSION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1055

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BY: REPRESENTATIVES WALTERS, CLEVELAND

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE TEACHER LICENSURE PROGRAM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1056

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BY: REPRESENTATIVE C. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE OFFICE OF EDUCATION RENEWAL ZONES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE RESOLUTION NO. 1005

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BY: REPRESENTATIVES THYER, P. BOOKOUT, GIPSON

CONGRATULATING THE 2003 STATE HIGH SCHOOL AAA VOLLEYBALL CHAMPION VALLEY VIEW LADY BLAZERS, AND RUNNER-UP JONESBORO WESTSIDE WARRIORS.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

HOUSE RESOLUTION NO. 1006

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**BY: REPRESENTATIVE SCRIMSHIRE**

RECOGNIZING AND COMMENDING MR. FLOYD L. PARKER FOR FIFTY YEARS OF SERVICE TO THE MALVERN NATIONAL BANK.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

HOUSE MEMORIAL RESOLUTION NO. 1002

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**BY: REPRESENTATIVE JUDY, EDWARDS, AGEE, PRITCHARD, HATHORN**

MOURNING THE DEATH OF DR. DONALD BAY BAKER AND HONORING HIM FOR HIS YEARS OF SERVICE TO THE COMMUNITY AND MEDICAL PROFESSION.

Was read the first time, rules suspended, read the second time and referred to the Calendar.

Upon motion of Representative Gillespie, the House adjourned at 4:39 p.m. until 1:30 p.m., Wednesday, December 17, 2003.

ATTEST:

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Herschel W. Cleveland  
Speaker of the House of Representatives

\_\_\_\_\_  
Jo Renshaw  
Chief Clerk