

Stricken language will be deleted and underlined language will be added.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1268

By: Representatives McCullough, F. Allen, Clowney, A. Collins, Ennett, D. Ferguson, K. Ferguson, V. Flowers, D. Garner, Hudson, Magie, Nicks, Perry, J. Richardson, Scott, T. Shephard, Springer, D. Whitaker

By: Senators G. Leding, L. Chesterfield, S. Flowers, F. Love, R. Murdock, C. Tucker

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR THE RAISE ACT OF 2023 FOR THE DEPARTMENT OF EDUCATION - DIVISION OF ELEMENTARY AND SECONDARY EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2024; TO CREATE THE RAISING ARKANSAS'S INVESTMENT IN SCHOOLS AND EDUCATORS (RAISE) ACT OF 2023 AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION - DIVISION OF ELEMENTARY AND SECONDARY EDUCATION - THE RAISE ACT OF 2023 APPROPRIATION FOR THE 2023-2024 FISCAL YEAR.

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

SECTION 1. DO NOT CODIFY. This act shall be known and may be cited as the "Raising Arkansas's Investment in Schools and Educators (RAISE) Act of 2023".

SECTION 2. APPROPRIATION - ARKANSAS TEACHER RAISES. There is hereby appropriated, to the Department of Education, to be payable from the Division of Elementary and Secondary Education Public School Fund Account, for the payment of raises for all teachers in the state of Arkansas as defined by



Arkansas Code 6-17-2402(3) of the Department of Education - Arkansas Teacher Raises for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) ARKANSAS TEACHER RAISES	<u>\$350,000,000</u>

SECTION 3. APPROPRIATION - EDUCATOR COMPENSATION REFORM PROGRAM. There is hereby appropriated, to the Department of Education, to be payable from the Division of Elementary and Secondary Education Public School Fund Account, for grants and aid to provide additional funding to school districts currently below the statutory minimum teacher salary schedule as defined in Arkansas Code § 6-17-2403(b) and revised by this act of the Department of Education - Educator Compensation Reform Program for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) EDUCATOR COMPENSATION REFORM GRANTS AND AID	<u>\$30,000,000</u>

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS TEACHER RAISES FUNDING. Upon the effective date of this Act, or as soon thereafter as practical, the Department of Education shall provide raises to all full-time equivalent teachers in the state as defined by Arkansas Code § 6-17-2402(3) at the amount of ten thousand dollars (\$10,000) per full-time equivalent teacher working in a public school district. The Department of Education may promulgate rules for the distribution of these funds and shall fully budget, allocate, and expend the total amount necessary to provide the full raise amount of ten thousand dollars (\$10,000) for each full-time equivalent teacher as defined by Arkansas Code § 6-17-2402(3).

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR COMPENSATION REFORM PROGRAM SUB-FUND. Upon the effective date of this Act,

or as soon thereafter as practical, the Arkansas State Treasurer shall transfer thirty million (\$30,000,000) from the Educational Adequacy Fund to the Division of Elementary and Secondary Education Public School Fund Account to be used solely for the implementation of the Educator Compensation Reform Program. Funds shall be kept separate from all other monies in the Division of Elementary and Secondary Education Public School Fund Account in the Educator Compensation Reform Program Sub-Fund and are to be utilized over a one-year period, effective on July 1, 2023 to assist school districts in ensuring that all full-time equivalent educators as defined by Arkansas Code § 6-17-2402(3) in Arkansas public school districts receive a minimum annual salary of fifty thousand dollars (\$50,000) by June 30, 2024. The Educator Compensation Reform Sub-Fund shall not be considered part of a school district's net legal balance or net legal balance revenues for the purpose of meeting the requirements on limitation of fund balances pursuant to Arkansas Code § 6-20-2210. The Arkansas Department of Education shall promulgate rules to administer this section.

SECTION 6. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-17-2402(3), concerning the definition of "teacher" under the Teacher Compensation Program of 2003, is amended to read as follows:

(3) "Teacher" means:

(A) An individual who is required to hold a teaching license from the Division of Elementary and Secondary Education and who is 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;

(D) A curriculum specialist;

(E) An instructional facilitator; or

(F) Any other full-time employee of a public school district who is not in an administrator or director-level role and who is required to hold a teaching license issued by the State Board of Education as a condition of employment.

SECTION 7. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-17-2403(b), concerning the minimum teacher compensation schedule, is amended to

read as follows:

(b) Each school district in the state shall have in place a salary schedule with at least the following minimum levels of compensation for a basic contract:

~~(1) For the 2019-2020 school year:~~

Years of Experience	BA Degree Salary	MA Degree Salary
0	\$32,800	\$37,450
1	33,250	37,950
2	33,700	38,450
3	34,150	38,950
4	34,600	39,450
5	35,050	39,950
6	35,500	40,450
7	35,950	40,950
8	36,400	41,450
9	36,850	41,950
10	37,300	42,450
11	37,750	42,950
12	38,200	43,450
13	38,650	43,950
14	39,100	44,450
15	39,550	44,950;

~~(2) For the 2020-2021 school year:~~

Years of Experience	BA Degree Salary	MA Degree Salary
0	\$33,800	\$38,450
1	34,250	38,950
2	34,700	39,450
3	35,150	39,950
4	35,600	40,450
5	36,050	40,950
6	36,500	41,450
7	36,950	41,950
8	37,400	42,450
9	37,850	42,950
10	38,300	43,450
11	38,750	43,950

12	39,200	44,450
13	39,650	44,950
14	40,100	45,450
15	40,550	45,950;

~~(3) For the 2021-2022 school year:~~

Years of Experience	BA Degree Salary	MA Degree Salary
0	\$34,900	\$39,550
1	35,350	40,050
2	35,800	40,550
3	36,250	41,050
4	36,700	41,550
5	37,150	42,050
6	37,600	42,550
7	38,050	43,050
8	38,500	43,550
9	38,950	44,050
10	39,400	44,550
11	39,850	45,050
12	40,300	45,550
13	40,750	46,050
14	41,200	46,550
15	41,650	47,050; and

~~(4) For the 2022-2023~~ 2023-2024 school year and each school year thereafter:

Years of Experience	BA Degree Salary	MA Degree Salary
0	\$36,000 <u>\$50,000</u>	\$40,650 <u>\$54,650</u>
1	36,450 <u>50,450</u>	41,150 <u>55,150</u>
2	36,900 <u>50,900</u>	41,650 <u>55,650</u>
3	37,350 <u>51,350</u>	42,150 <u>56,150</u>
4	37,800 <u>51,800</u>	42,650 <u>56,650</u>
5	38,250 <u>52,250</u>	43,150 <u>57,150</u>
6	38,700 <u>52,700</u>	43,650 <u>57,650</u>
7	39,150 <u>53,150</u>	44,150 <u>58,150</u>
8	39,600 <u>53,600</u>	44,650 <u>58,650</u>
9	40,050 <u>54,050</u>	45,150 <u>59,150</u>
10	40,500 <u>54,500</u>	45,650 <u>59,650</u>

11	40,950 <u>54,950</u>	46,150 <u>60,150</u>
12	41,400 <u>55,400</u>	46,650 <u>60,650</u>
13	41,850 <u>55,850</u>	47,150 <u>61,150</u>
14	42,300 <u>56,300</u>	47,650 <u>61,650</u>
15	42,750 <u>56,750</u>	48,150 <u>62,150</u> .

SECTION 8. 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 9. 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 10. 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.