

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

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1795

By: Representative G. Hodges

## For An Act To Be Entitled

AN ACT TO AMEND THE MINIMUM TEACHER COMPENSATION  
SCHEDULE UNDER THE PUBLIC SCHOOL FUNDING ACT OF 2003  
TO INCLUDE OPEN-ENROLLMENT PUBLIC CHARTER SCHOOLS;  
AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE MINIMUM TEACHER COMPENSATION  
SCHEDULE UNDER THE PUBLIC SCHOOL FUNDING  
ACT OF 2003 TO INCLUDE OPEN-ENROLLMENT  
PUBLIC CHARTER SCHOOLS.

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

SECTION 1. Arkansas Code § 6-17-2403 is amended to read as follows:  
6-17-2403. Minimum teacher compensation schedule – Definition.

(a)(1) The board of directors in each public school district and open-enrollment public charter school in the state shall pay classroom teachers a minimum base salary of fifty thousand dollars (\$50,000).

(2) To be eligible for funds to implement the minimum base salary under this section, ~~a~~ each public school district and open-enrollment public charter school shall:

(A) Revise each teacher contract or employment agreement by the 2023-2024 school year to require that each teacher in the public school district or open-enrollment public charter school is employed at least one hundred ninety (190) school days each year;

(B)(i) Not adopt a personnel policy or incorporate terms into a personnel contract that provide more rights to personnel than those



provided under state law in effect during the term of the personnel contract.

(ii) This subdivision (a)(2)(B) shall not be interpreted as:

(a) Denying personnel rights provided by other laws, including without limitation due process; or

(b) Prohibiting a public school district board of directors or open-enrollment public charter school governing body from specifying in its policy the timelines and processes for providing notice and an opportunity for a hearing as provided under § 6-13-636(d);

(C) Not have a waiver of teacher salary requirements; and

(D) Adopt an employee salary schedule.

(b)(1) For the 2023-2024 school year, each teacher shall be paid a salary that is at least two thousand dollars (\$2,000) greater than his or her current salary as of September 1, 2022.

(2) To be eligible for funds to implement the increase under subdivision (b)(1) of this section, a each public school district and open-enrollment public charter school shall:

(A) Revise each teacher contract or employment agreement by the 2023-2024 school year to require that each teacher in the public school district or open-enrollment public charter school is employed at least one hundred ninety (190) school days each year;

(B)(i) Not adopt a personnel policy or incorporate terms into a personnel contract that provide more rights to personnel than those provided under state law in effect during the term of the personnel contract.

(ii) This subdivision (b)(2)(B) shall not be interpreted as denying personnel rights provided by other laws, including without limitation due process; and

(C) Not have a waiver of teacher salary requirements.

(c) To be eligible for funds to implement the salary increases under subsections (a) and (b) of this section, a each public school district and open-enrollment public charter school shall be open for on-site, in-person instruction for at least:

(1) One hundred seventy-eight (178) days; or

(2) One thousand sixty-eight (1,068) hours.

(d) For purposes of the salary requirements described in this section, a "teacher" means an individual employed by a public school or an open-

enrollment public charter school in the State of Arkansas in a full-time position that requires a valid Arkansas teaching license, including without limitation a principal or assistant principal, unless the public school or open-enrollment public charter school has been issued a waiver by the State Board of Education.

(e)(1) The minimum teacher compensation requirements under this section do not apply to a part-time teacher or part-time paraprofessional employed by a public school district or an open-enrollment public charter school to work in an adult education program.

(2) The minimum teacher compensation schedule for a part-time teacher or part-time paraprofessional employed by a public school district to work in an adult education program shall be established by the Adult Education Section and approved by the Director of the Division of Workforce Services.

(f)(1) The funds allocated by the General Assembly for additional teacher compensation under this section shall only be used for teacher salaries.

(2) To qualify for funding appropriated under this section, public school districts shall:

(A)(i) Utilize an amount of state funds equal to eighty percent (80%) or more of the amount allocated for school-level personnel salaries, according to the adequacy funding matrix recommended by the Senate Committee on Education and the House Committee on Education for the previous school year, for teacher salaries and teacher raises.

(ii) If meeting the requirement under subdivision (f)(2)(A)(i) of this section would impact student safety or potentially cause a public school district to go into fiscal distress under the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq., the public school district may apply to the State Board of Education for a waiver from this requirement.

(iii) If meeting the requirement under subdivision (f)(2)(A)(i) of this section would negatively impact student safety or the fiscal stability or educational programs offered by an open-enrollment public charter school, the open-enrollment public charter school may apply to the charter authorizing panel for a waiver from this requirement; and

(B)(i) Certify with the Division of Elementary and

Secondary Education the number of certified teachers and the certified teachers' current contract salaries for each school year.

(ii) A fund shall be created by the Department of Education to hold and distribute revenues authorized by this section for teacher minimum salary levels and teacher raises.

(3) Each public school district and open-enrollment public charter school shall:

(A) Report the total amount of state funds used for teacher salaries to the Division of Elementary and Secondary Education; and

(B) Publish the information required under subdivision (f)(3)(A) of this section on the public school district's or open-enrollment public charter school's website.

(g) This section shall not be interpreted to limit a public school district or an open-enrollment public charter school from creating a salary schedule for the public school district or open-enrollment public charter school.

(h) The State Board of Education may promulgate rules to implement this subchapter.