

## **Title 6. Education**

### **Chapter I. Division of Elementary and Secondary Education**

#### **Subchapter I. Finance**

#### **Part 278. Rules Governing the School District Educational Excellence Trust Fund**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"2.00 AUTHORITY

2.01 The Arkansas State Board of Education promulgated these rules pursuant to the authority granted to it by Ark. Code Ann. §§ 6-11-105, 6-5-301 et seq., 6-20-2301 et seq., 19-5-942, and 25-15-201 et seq., and Act 170 of 2019."

"Effective January 1, 2020"

#### **Subpart 1. Generally**

##### **6 CAR § 278-101. Purpose.**

(a) This part shall be known as the Division of Elementary and Secondary Education Rules Governing the School District Educational Excellence Trust Fund.

(b) The purpose of this part is to provide the process and procedures necessary to calculate and allocate the Educational Excellence Trust Fund available to school districts.

**Authority.** Arkansas Code § 6-5-307.

##### **6 CAR § 278-102. Definitions.**

As used in this part:

(1) "Educational Excellence Trust Fund" means a fund for the Division of Elementary and Secondary Education made available to school districts for teacher salaries as provided for by Arkansas Code § 6-5-301 et seq.;

(2) "Foundation funding":

(A) Means the same as the definition set forth in Arkansas Code § 6-20-2303(8); and

(B) Is the amount set forth in Arkansas Code § 6-20-2305(a)(2); and

(3)(A) "Licensed personnel" means a person holding a valid Arkansas standard teaching license, an ancillary license, a provisional license, or a technical permit issued by the State Board of Education.

(B) "Licensed personnel" also includes a licensed or nonlicensed classroom teacher employed in a position under a waiver from licensure.

**Authority.** Arkansas Code § 6-5-307.

#### **6 CAR § 278-103. Calculation.**

(a) Divide the Division of Elementary and Secondary Education total Educational Excellence Trust Fund available for distribution by the total foundation funding for all school districts to determine the percentage of foundation funding that is the trust fund.

(b) Calculate each district's trust fund amount by multiplying the result of subsection (a) of this section by each district's foundation funding amount.

(c) Changes to the total trust fund available for distribution or changes to the foundation funding amount may result in revised trust fund amounts.

**Authority.** Arkansas Code § 6-5-307.

#### **6 CAR § 278-104. Allocation.**

(a) The Educational Excellence Trust Fund amount on the final State Aid Notice for the current school year must be expended in the form of salaries, social security, and retirement matching for current licensed personnel positions.

(b)(1) School districts are not required to increase salaries as a result of their trust fund allocation for the 2019-2020 school year.

(2) This exemption applies only to the 2019-2020 school year.

(c) Open-enrollment charter schools:

(1) Shall not have a trust fund allocation; and

(2) Are exempt from the statutory requirements of the trust fund.

**Authority.** Arkansas Code § 6-5-307.