

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1795

5 By: Representative G. Hodges  
6

## For An Act To Be Entitled

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

14 TO AMEND THE MINIMUM TEACHER COMPENSATION  
15 SCHEDULE UNDER THE PUBLIC SCHOOL FUNDING  
16 ACT OF 2003 TO INCLUDE OPEN-ENROLLMENT  
17 PUBLIC CHARTER SCHOOLS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 6-17-2403 is amended to read as follows:  
24 6-17-2403. Minimum teacher compensation schedule – Definition.

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

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

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

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



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

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

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

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

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

11 (D) Adopt an employee salary schedule.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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21 **APPROVED: 4/13/23**  
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