

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: H3/21/03 S4/14/03*

# A Bill

HOUSE BILL 2536

5 By: Representative Cleveland  
6  
7

## For An Act To Be Entitled

9 AN ACT TO CREATE THE ARKANSAS *TEACHERS' AND*  
10 *OTHER EDUCATORS' SALARY AND COMPENSATION STUDY*  
11 *COMMISSION; AND FOR OTHER PURPOSES.*  
12

## Subtitle

13 AN ACT TO CREATE THE ARKANSAS *TEACHERS'*  
14 *AND OTHER EDUCATORS' SALARY AND*  
15 *COMPENSATION STUDY COMMISSION.*  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. (a)(1) There is established a commission to be known as  
22 the "Arkansas Teachers' and Other Educators' Salary and Compensation Study  
23 Commission".

24 (b) The commission shall consist of six (6) members, as follows:

25 (1) Two (2) members appointed by the Governor as follows:

26 (A) One (1) person who is an economist; and

27 (B) One (1) person selected from a list of no less than  
28 five (5) names submitted by the Arkansas Association of Educational  
29 Administrators no later than five (5) days from the effective date of this  
30 act;

31 (2) Two (2) members appointed by the President Pro Tempore of  
32 the Senate, as follows:

33 (A) One (1) person who is an economist; and

34 (B) One (1) person selected from a list of no less than  
35 five (5) names submitted by the Arkansas Education Association no later than  
36 five (5) days from the effective date of this act; and



1           (3) Two (2) members appointed by the Speaker of the House of  
2 Representatives, as follows:

3           (A) One (1) person who is an economist; and

4           (B) One (1) person selected from a list of no less than  
5 five (5) names submitted by the Arkansas School Boards Association, no later  
6 than five (5) days from the effective date of this act.

7           (c) The appointed commission members shall be residents of the State  
8 of Arkansas at the time of appointment and throughout their term.

9           (d)(1) All appointments shall be made no later than ten (10) days  
10 after the effective date of this act.

11           (2) If any association fails to submit a list within five (5)  
12 days from the effective date of this act, the appointing official who did not  
13 receive a list may make an appointment from the state at large.

14           (e)(1) If a vacancy occurs in an appointed position, for any reason,  
15 the vacancy shall be filled by appointment by the official that made the  
16 appointment.

17           (2) The new appointee shall serve for the remainder of the  
18 unexpired term.

19           (f) The economist appointed by the Speaker of the House of  
20 Representatives shall serve as chairperson.

21           (g)(1) The commission shall meet at such times and places the  
22 chairperson deems necessary, but no meetings shall be held outside of the  
23 State of Arkansas.

24           (2) The chairperson shall call an organizational meeting no less  
25 than ten (10) days after all the members are appointed.

26           (3) Three (3) of the members of the commission shall constitute  
27 a quorum for the purpose of transacting business.

28           (4) All action of the commission shall be by a quorum.

29           (h) The commission shall:

30           (1) Develop market studies to define the amount of compensation  
31 and types of benefits that will be necessary to recruit and retain teachers  
32 for the state;

33           (2) Develop strategies for teacher salaries that would provide  
34 the state with a procedure to provide substantially equal teachers' salaries  
35 throughout the state, taking into consideration the cost of living in various  
36 parts of the state and other economic factors;

1           (3) Design plans for correcting disparities in teachers'  
2 salaries throughout the state;

3           (4) Recommend a starting salary and benefits, including stipends  
4 and other supplemental pay, that would make Arkansas competitive with other  
5 states for recruitment purposes;

6           (5) Equate any recommended teacher compensation package,  
7 including stipends and other supplemental pay, with that offered by  
8 surrounding states;

9           (6) To recommend superintendent compensation packages;

10           (7) To conduct market studies and other related studies that the  
11 commission deems relevant to address the salary issues raised by the Arkansas  
12 Supreme Court in the decision of Lake View School District No. 25 v.  
13 Huckabee, 351 Ark. 31 (2002); and

14           (8) Provide a report to the chair of the House Committee on  
15 Education, the chair of the Senate Committee on Education, the chair of the  
16 House Interim Committee on Education, the chair of the Senate Committee on  
17 Education, the Joint Committee on Educational Adequacy, and the Governor by  
18 June 25, 2003, and no less than quarterly thereafter or as requested by any  
19 legislative committee or the Governor.

20           (i) The committee may make recommendations regarding compensation for  
21 classified employees.

22           (j)(1) The Department of Education shall provide staff and office  
23 space to the commission.

24           (2)(A)(i) The economist members of the commission shall be  
25 entitled to compensation at their regular hourly rate not to exceed twenty-  
26 five thousand dollars (\$25,000) per fiscal year, for attendance at meetings  
27 and work performed for the benefit of the committee, to be paid by the  
28 Department of Education.

29           (ii) The noneconomist members of the commission  
30 shall serve without pay.

31           (B) All members of the commission may receive expense  
32 reimbursement in accordance with Arkansas Code § 25-16-902, to be paid by the  
33 Department of Education.

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35           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
36 General Assembly of the State of Arkansas that the Arkansas Supreme Court has

1 ruled that the current system of education in Arkansas is inadequate and  
2 inequitable, and has instructed the General Assembly to define what is  
3 necessary to provide an adequate and equitable education for the children of  
4 Arkansas, which shall include as a basic component substantially equal  
5 teachers' salaries. A committee must be formed to determine a method of  
6 providing substantially equal teachers' salaries in sufficient time for the  
7 General Assembly to take action before the termination of the court's stay.  
8 Therefore, an emergency is declared to exist and this act being immediately  
9 necessary for the preservation of the public peace, health, and safety shall  
10 become effective on:

11 (1) The date of its approval by the Governor;

12 (2) If the bill is neither approved nor vetoed by the Governor, the  
13 expiration of the period of time during which the Governor may veto the bill;  
14 or

15 (3) If the bill is vetoed by the Governor and the veto is overridden,  
16 the date the last house overrides the veto.

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18 /s/ Cleveland  
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