

1 State of Arkansas

As Engrossed: H12/22/03 H12/23/03

Call Item 4

2 84th General Assembly

A Bill

3 Second Extraordinary Session, 2003

HOUSE BILL 1065

4

5 By: Representatives J. Johnson, Wood, Walters, Elliott, *Pickett*

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For An Act To Be Entitled

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AN ACT TO ENSURE THAT ALL TEACHERS IN THE STATE

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RECEIVE SUBSTANTIALLY EQUAL TEACHER SALARIES AND

11

BENEFITS; AND FOR OTHER PURPOSES.

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13

Subtitle

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TO ENSURE THAT ALL TEACHERS IN THE STATE

15

RECEIVE SUBSTANTIALLY EQUAL TEACHER

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SALARIES AND BENEFITS.

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

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21 SECTION 1. Arkansas Code Title 6, Chapter 17, Subchapter 10 is amended

22 to add an additional section to read as follows:

23 6-17-1005. Applicability of teacher salary schedule.

24 (a) As used in this section:

25 (1) "Teacher" shall include any full-time employee of a local

26 public school district:

27 (A) Who is compelled by law to secure a license from the

28 State Board of Education as a condition precedent to employment in a position

29 in or related to grades prekindergarten through twelve (preK-12) of the

30 public schools of this state; and

31 (B) Who is:

32 (i) Engaged directly in instruction with students in

33 a classroom setting for more than seventy percent (70%) of the individual's

34 contracted time;

35 (ii) A guidance counselor; or

36 (iii) A librarian;



1 (2) "Entity" means:

2 (i) A state agency, a state department, the Arkansas
3 National Guard; or a political subdivision; or

4 (ii) A corporation, a partnership, a limited liability
5 company, or a person contracting to provide educational services in or for a
6 state agency or state department; and

7 (3) "State funds" means any money derived from state or local
8 taxes.

9 (b) Any teacher employed by any entity receiving state funds shall be
10 paid no less than the amounts set forth under the state minimum teacher
11 salary law.

12 (c)(1) If a teacher is employed by a state agency or department
13 and is paid under the Uniform Classification and Compensation Act of 1973 an
14 amount that is less than the amount required by this section, the teacher
15 shall be entitle to a pay increase as required by this section to the extent
16 that the teacher's salary range with his or her current grade allows for an
17 increase.

18 (2) If the teacher's salary range with his or her current grade
19 does not allow for a pay increase as required under this section, the
20 teacher's grade and salary shall reviewed by the staff of the Bureau of
21 Legislative Research for the purpose of making recommendations to the General
22 Assembly consistent with the provisions of this section to be included in
23 amendments to the Uniform Classification and Compensation Act of 1973.

24
25 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly of the State of Arkansas that the Arkansas Supreme Court in
27 Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the
28 current system of education to be unconstitutional because it is both
29 inequitable and inadequate; and the Arkansas Supreme Court set forth the test
30 for a constitutional system to be one in which the state has an "absolute
31 duty" to provide an "equal opportunity to an adequate education"; the
32 Arkansas Supreme Court instructed the General Assembly to undertake actions
33 as necessary to provide an opportunity for an adequate and equitable
34 education for the children of Arkansas; and the provisions of this bill are
35 necessary steps toward accomplishing that goal. Therefore, an emergency is
36 declared to exist and this act being immediately necessary for the

1 preservation of the public peace, health, and safety shall become effective
2 on:

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

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

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

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10 */s/ J. Johnson, et al*

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