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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  
RECEIVE SUBSTANTIALLY EQUAL TEACHER SALARIES AND  
BENEFITS; AND FOR OTHER PURPOSES.

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**Subtitle**

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TO ENSURE THAT ALL TEACHERS IN THE STATE  
RECEIVE SUBSTANTIALLY EQUAL TEACHER  
SALARIES AND BENEFITS.

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

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SECTION 1. Arkansas Code Title 6, Chapter 17, Subchapter 10 is amended  
to add an additional section to read as follows:

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

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(a) As used in this section:

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(1) "Teacher" shall include any full-time employee of a local  
public school district:

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(A) Who is compelled by law to secure a license from the  
State Board of Education as a condition precedent to employment in a position  
in or related to grades prekindergarten through twelve (preK-12) of the  
public schools of this state; and

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(B) Who is:

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(i) Engaged directly in instruction with students in  
a classroom setting for more than seventy percent (70%) of the individual's  
contracted time;

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(ii) A guidance counselor; or

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(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           (d) Nothing in this section shall be construed to required a school  
25 district to pay the salary of any teacher that is not an employee of the  
26 school district or to required that teachers be paid from any state funds  
27 other than as appropriated by the General Assembly.

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29           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
30 General Assembly of the State of Arkansas that the Arkansas Supreme Court in  
31 Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the  
32 current system of education to be unconstitutional because it is both  
33 inequitable and inadequate; and the Arkansas Supreme Court set forth the test  
34 for a constitutional system to be one in which the state has an "absolute  
35 duty" to provide an "equal opportunity to an adequate education"; the  
36 Arkansas Supreme Court instructed the General Assembly to undertake actions

1 as necessary to provide an opportunity for an adequate and equitable  
2 education for the children of Arkansas; and the provisions of this bill are  
3 necessary steps toward accomplishing that goal. Therefore, an emergency is  
4 declared to exist and this act being immediately necessary for the  
5 preservation of the public peace, health, and safety shall become effective  
6 on:

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

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

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

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