

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

A Bill

HOUSE BILL 1135

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE
12 DEAF FOR THE BIENNIAL PERIOD ENDING JUNE 30,
13 2005; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF EDUCATION
17 - ARKANSAS SCHOOL FOR THE DEAF
18 APPROPRIATION FOR THE 2003-2005
19 BIENNIUM.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Education - Arkansas School for the Deaf for the 2003-2005
27 biennium, the following maximum number of regular employees whose salaries
28 shall be governed by the provisions of the Uniform Classification and
29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
30 all laws amendatory thereto. Provided, however, that any position to which a
31 specific maximum annual salary is set out herein in dollars, shall be exempt
32 from the provisions of said Uniform Classification and Compensation Act. All
33 persons occupying positions authorized herein are hereby governed by the
34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
35 Code §21-5-101), or its successor.
36



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| | | | | | Maximum Annual | |
|----|------|-------|-------------------------------------|-----------|----------------|-----------|
| | | | | Maximum | Salary Rate | |
| | Item | Class | | No. of | Fiscal Years | |
| | No. | Code | Title | Employees | 2003-2004 | 2004-2005 |
| 5 | (1) | 9949 | ED SUPT DEAF SCHOOL | 1 | \$75,750 | \$77,590 |
| 6 | (2) | 026Z | ASD/ASB BUSINESS MANAGER | 1 | GRADE | 26 |
| 7 | (3) | E020 | CURRICULUM DIRECTOR | 1 | GRADE | 24 |
| 8 | (4) | 990Z | ED COORD STUDENT ASSESSMENT PROGRAM | 1 | GRADE | 23 |
| 9 | (5) | E015 | ED SCHOOL PRINCIPAL | 2 | GRADE | 23 |
| 10 | (6) | M122 | EVAL/ADMISSIONS/HLTH SVCS MGR | 1 | GRADE | 23 |
| 11 | (7) | 909Z | PROGRAM SUPPORT MANAGER | 1 | GRADE | 22 |
| 12 | (8) | E057 | TEACHER F/T SENSORY IMPAIRED SUPV | 1 | GRADE | 22 |
| 13 | (9) | R094 | ASB/ASD PERSONNEL MANAGER | 1 | GRADE | 22 |
| 14 | (10) | E028 | ED PROGRAM ADMINISTRATOR | 1 | GRADE | 21 |
| 15 | (11) | L030 | DIETARY SERVICES DIRECTOR | 1 | GRADE | 21 |
| 16 | (12) | L122 | PSYCHOLOGICAL EXAMINER II | 2 | GRADE | 21 |
| 17 | (13) | D121 | USER SUPPORT ANALYST | 1 | GRADE | 20 |
| 18 | (14) | E077 | TEACHER F/T SENSORY IMPAIRED IV | 13 | GRADE | 20 |
| 19 | (15) | E078 | VOCATIONAL INSTRUCTOR IV | 6 | GRADE | 20 |
| 20 | (16) | L008 | SR AUDIOLOGIST | 3 | GRADE | 20 |
| 21 | (17) | L140 | SPEECH PATHOLOGIST II | 5 | GRADE | 20 |
| 22 | (18) | M028 | COUNSELOR II | 2 | GRADE | 20 |
| 23 | (19) | R266 | MANAGEMENT PROJECT ANALYST II | 2 | GRADE | 20 |
| 24 | (20) | E014 | DIRECTOR MULTI-MEDIA SERVICES | 1 | GRADE | 19 |
| 25 | (21) | E039 | LIBRARIAN III | 1 | GRADE | 19 |
| 26 | (22) | E063 | TEACHER F/T SENSORY IMPAIRED III | 36 | GRADE | 19 |
| 27 | (23) | G026 | BLDG AND GROUNDS COORDINATOR | 1 | GRADE | 19 |
| 28 | (24) | R030 | ASST PERSONNEL MANAGER | 1 | GRADE | 19 |
| 29 | (25) | A111 | ACCOUNTANT | 1 | GRADE | 18 |
| 30 | (26) | G161 | GENERAL MAINTENANCE REPAIRMAN | 4 | GRADE | 17 |
| 31 | (27) | M039 | HOUSEPARENT SUPERVISOR | 3 | GRADE | 17 |
| 32 | (28) | R010 | ADMINISTRATIVE ASSISTANT II | 1 | GRADE | 17 |
| 33 | (29) | R190 | PERSONNEL OFFICER II | 1 | GRADE | 17 |
| 34 | (30) | Y039 | HEATING & A/C MECHANIC | 1 | GRADE | 17 |
| 35 | (31) | Y053 | JOURNEYMAN CARPENTER | 1 | GRADE | 17 |
| 36 | (32) | Y057 | JOURNEYMAN PAINTER | 1 | GRADE | 17 |

| | | | | | |
|----|------|------|------------------------------------|----------|----------|
| 1 | (33) | Y061 | JOURNEYMAN PLUMBER | 1 | GRADE 17 |
| 2 | (34) | A108 | ACCOUNTING TECHNICIAN II | 3 | GRADE 15 |
| 3 | (35) | L115 | LPN II/LPTN II | 3 | GRADE 15 |
| 4 | (36) | M034 | HOUSEPARENT II | 30 | GRADE 15 |
| 5 | (37) | M048 | RECREATIONAL ACTIVITY LEADER II | 4 | GRADE 15 |
| 6 | (38) | V011 | CENTRAL SUPPLY SUPV | 1 | GRADE 15 |
| 7 | (39) | K041 | EXECUTIVE SECY/ADMINISTRATIVE SECY | 1 | GRADE 14 |
| 8 | (40) | E017 | INSTITUTION ASSISTANT LIBRARIAN | 1 | GRADE 13 |
| 9 | (41) | E027 | INSTITUTIONAL TEACHER ASSISTANT | 8 | GRADE 13 |
| 10 | (42) | G115 | NURSERY ASST & GROUNDSKEEPER SUPV | 1 | GRADE 13 |
| 11 | (43) | K153 | SECRETARY II | 10 | GRADE 13 |
| 12 | (44) | R125 | PERSONNEL OFFICER | 1 | GRADE 13 |
| 13 | (45) | K155 | SECRETARY I | 1 | GRADE 11 |
| 14 | (46) | V043 | SHIPPING & RECEIVING CLERK | 1 | GRADE 11 |
| 15 | (47) | Y001 | APPRENTICE TRADESMAN | 2 | GRADE 11 |
| 16 | (48) | G006 | MOTOR VEHICLE OPERATOR | 1 | GRADE 10 |
| 17 | (49) | G165 | WORK MAINTENANCE LEADER | 2 | GRADE 10 |
| 18 | (50) | H027 | COOK II | 19 | GRADE 10 |
| 19 | (51) | V029 | INVENTORY CONTROL CLERK | 1 | GRADE 10 |
| 20 | (52) | G010 | LAUNDRY SUPERVISOR | 1 | GRADE 08 |
| 21 | (53) | G109 | BLDG/EQUIP MAINT REPAIRMAN II | 2 | GRADE 08 |
| 22 | (54) | G175 | MAINTENANCE WORKER II | 8 | GRADE 05 |
| 23 | (55) | G008 | LAUNDRY WORKER | <u>1</u> | GRADE 04 |
| 24 | | | MAX. NO. OF EMPLOYEES | 202 | |

25

26 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 27 Education - Arkansas School for the Deaf for the 2003-2005 biennium, the
 28 following maximum number of part-time or temporary employees, to be known as
 29 "Extra Help", payable from funds appropriated herein for such purposes:
 30 forty five (45) temporary or part-time employees, when needed, at rates of
 31 pay not to exceed those provided in the Uniform Classification and
 32 Compensation Act, or its successor, or this act for the appropriate
 33 classification.

34

35 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 36 to the Department of Education - Arkansas School for the Deaf, to be payable

1 from the School for the Deaf Fund Account, for personal services and
 2 operating expenses of the Department of Education - Arkansas School for the
 3 Deaf - State Operations for the biennial period ending June 30, 2005, the
 4 following:

| ITEM | | FISCAL YEARS | |
|------|---------------------------|---------------------|---------------------|
| NO. | | 2003-2004 | 2004-2005 |
| (01) | REGULAR SALARIES | \$ 4,802,438 | \$ 4,802,438 |
| (02) | EXTRA HELP | 50,000 | 50,000 |
| (03) | PERSONAL SERV MATCH | 1,466,507 | 1,466,507 |
| (04) | OVERTIME | 25,000 | 25,000 |
| (05) | MAINT. & GEN. OPERATION | | |
| (A) | OPER. EXPENSE | 1,281,305 | 1,281,305 |
| (B) | CONF. & TRAVEL | 25,000 | 25,000 |
| (C) | PROF. FEES | 100,000 | 100,000 |
| (D) | CAP. OUTLAY | 0 | 0 |
| (E) | DATA PROC. | 0 | 0 |
| (06) | SPECIAL MAINTENANCE | 63,515 | 63,515 |
| (07) | VOCATIONAL WORKSTUDY | 7,500 | 7,500 |
| (08) | SCPI TEST LEVEL PAYMENTS | <u>10,000</u> | <u>10,000</u> |
| | TOTAL AMOUNT APPROPRIATED | <u>\$ 7,831,265</u> | <u>\$ 7,831,265</u> |

23 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 24 appropriated, to the Department of Education - Arkansas School for the Deaf,
 25 to be payable from the federal funds as designated by the Chief Fiscal
 26 Officer of the State, for personal services and operating expenses of the
 27 Department of Education - Arkansas School for the Deaf - Federal Operations
 28 for the biennial period ending June 30, 2005, the following:

| ITEM | | FISCAL YEARS | |
|------|-------------------------|--------------|------------|
| NO. | | 2003-2004 | 2004-2005 |
| (01) | REGULAR SALARIES | \$ 707,670 | \$ 726,777 |
| (02) | EXTRA HELP | 40,000 | 40,000 |
| (03) | PERSONAL SERV MATCH | 210,214 | 213,992 |
| (04) | MAINT. & GEN. OPERATION | | |
| (A) | OPER. EXPENSE | 240,909 | 240,909 |

| | | | |
|---|---------------------------|---------------------|---------------------|
| 1 | (B) CONF. & TRAVEL | 62,111 | 62,111 |
| 2 | (C) PROF. FEES | 286,200 | 286,200 |
| 3 | (D) CAP. OUTLAY | 129,500 | 129,500 |
| 4 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 5 | TOTAL AMOUNT APPROPRIATED | <u>\$ 1,676,604</u> | <u>\$ 1,699,489</u> |

6
 7 SECTION 5. APPROPRIATIONS - CASH OPERATIONS. There is hereby
 8 appropriated, to the Department of Education - Arkansas School for the Deaf,
 9 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 10 Department of Education - Arkansas School for the Deaf, for operating
 11 expenses of the Department of Education - Arkansas School for the Deaf - Cash
 12 Operations for the biennial period ending June 30, 2005, the following:
 13

| 14 | ITEM | FISCAL YEARS | |
|----|------------------------------|-------------------|-------------------|
| 15 | <u>NO.</u> | <u>2003-2004</u> | <u>2004-2005</u> |
| 16 | (01) MAINT. & GEN. OPERATION | | |
| 17 | (A) OPER. EXPENSE | \$ 147,136 | \$ 147,136 |
| 18 | (B) CONF. & TRAVEL | 25,000 | 25,000 |
| 19 | (C) PROF. FEES | 28,000 | 28,000 |
| 20 | (D) CAP. OUTLAY | 75,000 | 75,000 |
| 21 | (E) DATA PROC. | 0 | 0 |
| 22 | (02) SPECIAL MAINTENANCE | <u>145,000</u> | <u>145,000</u> |
| 23 | TOTAL AMOUNT APPROPRIATED | <u>\$ 420,136</u> | <u>\$ 420,136</u> |

24
 25 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER
 27 SCHOOL EMPLOYEES. Employees who, in addition to working during the regular
 28 school term, also work during summer months shall be authorized as additional
 29 compensation an amount not to exceed 1/12 of their annual salary for each
 30 month or part thereof worked. Such additional compensation shall not be
 31 construed as exceeding the maximum salary authorized for said employees.
 32 Payment of additional compensation shall be limited to employees in the
 33 following classifications:

| 34 | SUMMER SCHOOL POSITIONS | GRADE |
|----|-----------------------------|-------|
| 35 | Teacher for the Sens Imp I | 17 |
| 36 | Teacher for the Sens Imp II | 18 |

| | | |
|---|------------------------------|----|
| 1 | Teacher for the Sens Imp III | 19 |
| 2 | Teacher for the Sens Imp IV | 20 |
| 3 | Speech Pathologist II | 20 |
| 4 | Vocational Instructor II | 18 |
| 5 | Vocational Instructor III | 19 |
| 6 | Vocational Instructor IV | 20 |
| 7 | Teacher for Sens Imp Super | 22 |

8 The provisions of this section shall be in effect only from ~~July 1, 2001~~
9 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

10

11 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
13 ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special
14 allowances available to any employee who performs one of the following duties
15 in addition to their normal duties:

- 16 1) Teaching adult education classes on weekends or evenings
- 17 2) Coaching one or more sports
- 18 3) Sponsoring a club or organization that involves additional hours
19 outside of the normal working day.
- 20 4) Interpretive Services

21 Compensation for additional duties may not exceed \$3,000 per school term
22 for any one employee during each fiscal year. Such additional compensation
23 shall not be construed as exceeding the maximum salary authorized for said
24 employee.

25 The provisions of this section shall be in effect only from ~~July 1, 2001~~
26 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

27

28 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
30 ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or
31 other form of compensation from the Arkansas Schools for the Deaf or Blind
32 shall be paid an additional salary or receive additional compensation, other
33 than reimbursement for actual expenses, from that agency, nor from any other
34 agency or institution of higher education, except from the Superintendent's
35 written certification to and approval by the Chief Fiscal Officer of the
36 State that the work performed by the employee for the other position does not

1 interfere with the proper and required performance of the employee's primary
2 duties, and that the combined salary payments from both positions will not
3 exceed the maximum annual salary for whichever of the two positions has the
4 higher authorized maximum annual salary.

5 Any employee knowingly violating the provisions of this section shall be
6 subject to immediate termination and shall be barred from employment by any
7 agency or institution of the State of Arkansas for a period of not less than
8 three (3) years or until such employee shall repay to the State of Arkansas
9 any sums received by such employee in violation of this section, together
10 with interest at a rate of ten percent (10%) per annum.

11 The provisions of this section shall be in effect only from ~~July 1, 2001~~
12 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

13
14 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHIFT
16 DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not
17 earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

18 The provisions of this section shall be in effect only from ~~July 1, 2001~~
19 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

20
21 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHERS
23 FOR SENSORY IMPAIRED ENTERING STATE SERVICE. Upon the superintendent's
24 certification to the State Personnel Administrator of prior service at an
25 educational institution and most recent contractual salary, the salary of
26 teachers holding certification in teaching the hearing impaired and entering
27 state service as teachers for the sensory impaired may be adjusted to a rate
28 of pay closest to but not less than their most recent annual salary.

29 The provisions of this section shall be in effect only from ~~July 1, 2001~~
30 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

31
32 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
33 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SIGN LANGUAGE
34 PROFICIENCY INTERVIEW. The Arkansas School for the Deaf is hereby
35 authorized, after prior review by the Arkansas Legislative Council upon
36 certification by the superintendent of the Arkansas School for the Deaf to

1 the Office of Personnel Management and approval of the Chief Fiscal Officer
 2 of the State to grant a 2.5 percent (2.5%) salary bonus payment to employees
 3 meeting the required level of Sign Language Communication Proficiency
 4 Interview (SCPI) for the employee's current position. The bonus may be
 5 awarded upon submission of documented proof of such certification provided
 6 the employee's most recent performance evaluation results in a satisfactory
 7 or better rating and provided that the employee has taken a minimum of one
 8 course in sign language or in linguistics of sign language after the
 9 employee's hire date. New and probationary employees shall be eligible for
 10 bonus payments after their probationary period expires provided that the
 11 above requirements are met. Employees are eligible for only one SCPI bonus
 12 payment as authorized by this subsection over the course of employment.
 13

14 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 15 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

16
 17 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 19 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
 20 Arkansas School for the Deaf shall transfer appropriation from the Summer
 21 Projects line item in this Act, to Item No. (01) through Item No. (5) in
 22 Section 3 of this Act, to compensate Teachers, Houseparents, Food Service,
 23 Nursing Staff who work during the summer months on summer projects, and to
 24 cover other expenses of summer project activities and to compensate coaches
 25 and organization sponsors as referenced in Section 7 of this Act.

26 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 27 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

28
 29 SECTION 13. SPECIAL LANGUAGE. MAINTENANCE/TRANSPORTATION/SECURITY. The
 30 Arkansas School for the Deaf shall be responsible for providing maintenance,
 31 transportation, and security for the Arkansas School for the Blind. The
 32 Arkansas School for the Deaf is authorized to spend general revenue funds to
 33 provide for these services.

34 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 35 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

36

1 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
 3 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are
 4 authorized to establish a joint paying account in the State Treasury, upon
 5 direction of the Board of Trustees for the Arkansas School for the Blind and
 6 the Arkansas School for the Deaf. The Board may transfer positions, funds
 7 and appropriations to the paying account from either school to serve both
 8 schools in the areas of Accounting, Personnel, Inventory, Safety and Health
 9 Services.

10 Funding and appropriations for this account will be from transfers from
 11 the fund accounts and appropriations of each agency and shall be divided
 12 proportionately from each agency based on student population. Said funds
 13 shall be payable from the joint account as if the positions and other
 14 budgetary line items of appropriation had originally been established in the
 15 joint account. Supervision of this account and supervision of the positions
 16 within may come from either school as determined by the Board of Trustees.

17 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 18 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

19
 20 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER
 22 SALARY INCREASE. In the event that an act is enacted in which the public
 23 schools receive funds from the General Assembly to raise the salaries of
 24 teachers employed in the public school districts, the Arkansas School for the
 25 Deaf and the Arkansas School for the Blind shall be included.

26
 27 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 28 by this act shall be limited to the appropriation for such agency and funds
 29 made available by law for the support of such appropriations; and the
 30 restrictions of the State Purchasing Law, the General Accounting and
 31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 32 Procedures and Restrictions Act, or their successors, and other fiscal
 33 control laws of this State, where applicable, and regulations promulgated by
 34 the Department of Finance and Administration, as authorized by law, shall be
 35 strictly complied with in disbursement of said funds.

36

1 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General Assembly
 2 that any funds disbursed under the authority of the appropriations contained
 3 in this act shall be in compliance with the stated reasons for which this act
 4 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 5 and Legislative Recommendations contained in the budget manuals prepared by
 6 the Department of Finance and Administration, letters, or summarized oral
 7 testimony in the official minutes of the Arkansas Legislative Council or
 8 Joint Budget Committee which relate to its passage and adoption.

9
 10 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General
 11 Assembly, that the Constitution of the State of Arkansas prohibits the
 12 appropriation of funds for more than a two (2) year period; that the
 13 effectiveness of this Act on July 1, 2003 is essential to the operation of
 14 the agency for which the appropriations in this Act are provided, and that in
 15 the event of an extension of the Regular Session, the delay in the effective
 16 date of this Act beyond July 1, 2003 could work irreparable harm upon the
 17 proper administration and provision of essential governmental programs.
 18 Therefore, an emergency is hereby declared to exist and this Act being
 19 necessary for the immediate preservation of the public peace, health and
 20 safety shall be in full force and effect from and after July 1, 2003.

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