

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

A Bill

HOUSE BILL 1170

4
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 BLIND 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 BLIND
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 Blind 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



Item	Class		Maximum	Maximum Annual	
No.	Code	Title	No. of	Salary Rate	
			Employees	Fiscal Years	
				2003-2004	
				2004-2005	
5	(1) 9948	ED SUPT BLIND SCHOOL	1	\$75,750	\$77,590
6	(2) E015	ED SCHOOL PRINCIPAL	2	GRADE	23
7	(3) 909Z	PROGRAM SUPPORT MANAGER	2	GRADE	22
8	(4) A032	AGENCY FISCAL MANAGER	1	GRADE	22
9	(5) L030	DIETARY SERVICES DIRECTOR	1	GRADE	21
10	(6) L122	PSYCHOLOGICAL EXAMINER II	1	GRADE	21
11	(7) E077	TEACHER F/T SENSORY IMPAIRED IV	23	GRADE	20
12	(8) L070	NURSE II	1	GRADE	20
13	(9) E039	LIBRARIAN III	2	GRADE	19
14	(10) E063	TEACHER F/T SENSORY IMPAIRED III	30	GRADE	19
15	(11) R030	ASST PERSONNEL MANAGER	1	GRADE	19
16	(12) A111	ACCOUNTANT	1	GRADE	18
17	(13) R264	MANAGEMENT PROJECT ANALYST I	1	GRADE	18
18	(14) M039	HOUSEPARENT SUPERVISOR	2	GRADE	17
19	(15) R190	PERSONNEL OFFICER II	1	GRADE	17
20	(16) L115	LPN II/LPTN II	2	GRADE	15
21	(17) M034	HOUSEPARENT II	17	GRADE	15
22	(18) M048	RECREATIONAL ACTIVITY LEADER II	2	GRADE	15
23	(19) E027	INSTITUTIONAL TEACHER ASSISTANT	4	GRADE	13
24	(20) G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE	13
25	(21) K153	SECRETARY II	3	GRADE	13
26	(22) K155	SECRETARY I	1	GRADE	11
27	(23) L081	NURSING ASST II	1	GRADE	11
28	(24) H005	BAKER II	1	GRADE	10
29	(25) H027	COOK II	3	GRADE	10
30	(26) H053	FOOD SERVICE WORKER III	1	GRADE	08
31	(27) H043	FOOD SERVICE WORKER II	5	GRADE	05
32	(28) G035	CUSTODIAL WRKR II	4	GRADE	04
33	(29) G075	HOUSEKEEPER	<u>1</u>	GRADE	04
34		MAX. NO. OF EMPLOYEES	116		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of

1 Education - Arkansas School for the Blind for the 2003-2005 biennium, the
 2 following maximum number of part-time or temporary employees, to be known as
 3 "Extra Help", payable from funds appropriated herein for such purposes:
 4 seventeen (17) temporary or part-time employees, when needed, at rates of pay
 5 not to exceed those provided in the Uniform Classification and Compensation
 6 Act, or its successor, or this act for the appropriate classification.

7
 8 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 9 to the Department of Education - Arkansas School for the Blind, to be payable
 10 from the School for the Blind Fund Account, for personal services and
 11 operating expenses of the Department of Education - Arkansas School for the
 12 Blind - State Operations for the biennial period ending June 30, 2005, the
 13 following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
(01) REGULAR SALARIES	\$ 2,766,374	\$ 2,766,374
(02) EXTRA HELP	15,000	15,000
(03) PERSONAL SERV MATCH	838,152	838,152
(04) OVERTIME	18,250	18,250
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	515,000	515,000
(B) CONF. & TRAVEL	17,015	17,015
(C) PROF. FEES	65,000	65,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(06) SPECIAL MAINTENANCE	25,000	25,000
(07) VOCATIONAL WORKSTUDY	10,000	10,000
(08) SUMMER PROJECTS	<u>20,000</u>	<u>20,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,289,791</u>	<u>\$ 4,289,791</u>

31
 32 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 33 appropriated, to the Department of Education - Arkansas School for the Blind,
 34 to be payable from the federal funds as designated by the Chief Fiscal
 35 Officer of the State, for personal services and operating expenses of the
 36 Department of Education - Arkansas School for the Blind - Federal Operations

1 for the biennial period ending June 30, 2005, the following:

2

3 ITEM	FISCAL YEARS	
	2003-2004	2004-2005
4 <u>NO.</u>		
5 (01) REGULAR SALARIES	\$ 636,004	\$ 653,176
6 (02) EXTRA HELP	15,000	15,000
7 (03) PERSONAL SERV MATCH	180,520	183,941
8 (04) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSE	161,050	161,050
10 (B) CONF. & TRAVEL	53,382	53,382
11 (C) PROF. FEES	116,432	116,432
12 (D) CAP. OUTLAY	100,000	100,000
13 (E) DATA PROC.	<u>0</u>	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,262,388</u>	<u>\$ 1,282,981</u>

15

16 SECTION 5. APPROPRIATIONS - CASH OPERATIONS. There is hereby
 17 appropriated, to the Department of Education - Arkansas School for the Blind,
 18 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 19 Department of Education - Arkansas School for the Blind, for operating
 20 expenses of the Department of Education - Arkansas School for the Blind -
 21 Cash Operations for the biennial period ending June 30, 2005, the following:

22

23 ITEM	FISCAL YEARS	
	2003-2004	2004-2005
24 <u>NO.</u>		
25 (01) MAINT. & GEN. OPERATION		
26 (A) OPER. EXPENSE	\$ 186,508	\$ 186,508
27 (B) CONF. & TRAVEL	13,000	13,000
28 (C) PROF. FEES	100,000	100,000
29 (D) CAP. OUTLAY	50,000	50,000
30 (E) DATA PROC.	0	0
31 (02) SPECIAL MAINTENANCE	<u>75,000</u>	<u>75,000</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$ 424,508</u>	<u>\$ 424,508</u>

33

34 SECTION 6. APPROPRIATION - BRAILLE TEXTBOOKS. There is hereby
 35 appropriated, to the Department of Education - Arkansas School for the Blind,
 36 to be payable from the School for the Blind Fund Account, for the purchase of

1 braille and largeprint textbooks for the blind and visually impaired students
 2 attending the public schools in Arkansas of the Department of Education -
 3 Arkansas School for the Blind - Braille Textbooks for the biennial period
 4 ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) BRAILLE TEXTBOOKS	\$ 112,238	\$ 112,238
TOTAL AMOUNT APPROPRIATED	<u>\$ 112,238</u>	<u>\$ 112,238</u>

11 SECTION 7. APPROPRIATION - MEDICAID PROVIDER - FEDERAL. There is hereby
 12 appropriated, to the Department of Education - Arkansas School for the Blind,
 13 to be payable from the federal funds as designated by the Chief Fiscal
 14 Officer of the State, for operating expenses of the Department of Education -
 15 Arkansas School for the Blind - Medicaid Provider Program for the biennial
 16 period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 20,000	\$ 20,000
(B) CONF. & TRAVEL	5,000	5,000
(C) PROF. FEES	85,000	85,000
(D) CAP. OUTLAY	50,000	50,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 160,000</u>	<u>\$ 160,000</u>

28 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 30 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
 31 Arkansas School for the Blind shall transfer appropriation from Item No. (08)
 32 Summer Projects, in Section 3 of this Act, to Item No. (01) through Item No.
 33 (05) in Section 3 of this Act, to compensate Teachers, Houseparents, Food
 34 Service, Nursing staff who work during the summer months on summer projects,
 35 and to cover other expenses of summer project activities and to compensate
 36 coaches and organization sponsors as referenced in Section 9 of this Act.

1 Such additional compensation shall not be construed as exceeding the maximum
2 salary authorized for said employees.

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

5

6 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
8 ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special
9 allowances available to any employee who performs one of the following duties
10 in addition to their normal duties:

- 11 1) Teaching adult education classes on weekends or evenings
- 12 2) Coaching one or more sports
- 13 3) Sponsoring a club or organization that involves additional hours
- 14 outside of the normal working day.
- 15 4) Interpretive Services

16 Compensation for additional duties may not exceed \$3,000 per school term
17 for any one employee during each fiscal year. Such pay shall not be
18 construed as exceeding the maximum salary authorized for said position.

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

21

22 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or
25 other form of compensation from the Arkansas Schools for the Deaf or Blind
26 shall be paid an additional salary or receive additional compensation, other
27 than reimbursement for actual expenses, from that agency, nor from any other
28 agency or institution of higher education, except from the Superintendent's
29 written certification to and approval by the Chief Fiscal Officer of the
30 State that the work performed by the employee for the other position does not
31 interfere with the proper and required performance of the employee's primary
32 duties, and that the combined salary payments from both positions will not
33 exceed the maximum annual salary for whichever of the two positions has the
34 higher authorized maximum annual salary.

35 Any employee knowingly violating the provisions of this section shall be
36 subject to immediate termination and shall be barred from employment by any

1 agency or institution of the State of Arkansas for a period of not less than
 2 three (3) years or until such employee shall repay to the State of Arkansas
 3 any sums received by such employee in violation of this section, together
 4 with interest at a rate of ten percent (10%) per annum.

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

7
 8 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
 10 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are
 11 authorized to establish a joint paying account in the State Treasury, upon
 12 direction of the Board of Trustees for the Arkansas School for the Blind and
 13 the Arkansas School for the Deaf. The Board may transfer positions, funds
 14 and appropriations to the paying account from either school to serve both
 15 schools in the areas of Accounting, Personnel, Inventory, Safety and Health
 16 Services.

17 Funding and appropriations for this account will be from transfers from
 18 the fund accounts and appropriations of each agency and shall be divided
 19 proportionately from each agency based on student population. Said funds
 20 shall be payable from the joint account as if the positions and other
 21 budgetary line items of appropriation had originally been established in the
 22 joint account. Supervision of this account and supervision of the positions
 23 within may come from either school as determined by the Board of Trustees.

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

26
 27 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BRAILLE
 29 AND LARGEPRINT TEXTBOOKS. The State Board of Education shall make reasonable
 30 rules and regulations to implement the Braille and Large Print Textbooks
 31 appropriation and is hereby authorized to negotiate directly with publishers
 32 of Braille and Large Print Textbooks for the purchase of such textbooks.

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

35
 36 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER
2 SCHOOL EMPLOYEES. Employees who, in addition to working during the regular
3 school term, also work during summer months shall be authorized as additional
4 compensation an amount not to exceed 1/12 of their annual salary for each
5 month or part thereof worked. Such additional compensation shall not be
6 construed as exceeding the maximum salary authorized for said employees.
7 Payment of additional compensation shall be limited to employees in the
8 following classifications:

9 SUMMER SCHOOL POSITIONS	GRADE
10 Teacher for the Sens Imp I	16
11 Teacher for the Sens Imp II	18
12 Teacher for the Sens Imp III	19
13 Teacher for the Sens Imp IV	20
14 Teacher for the Sens Imp Supv	22

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

17
18 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHERS
20 FOR SENSORY IMPAIRED ENTERING STATE SERVICE. Upon the superintendent's
21 certification to the State Personnel Administrator of prior service at an
22 educational institution and most recent contractual salary, the salary of
23 teachers holding certification in teaching the visually impaired and entering
24 state service as teachers for the sensory impaired may be adjusted to a rate
25 of pay closest to but not less than their most recent annual salary.

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

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

1 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 2 by this act shall be limited to the appropriation for such agency and funds
 3 made available by law for the support of such appropriations; and the
 4 restrictions of the State Purchasing Law, the General Accounting and
 5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 6 Procedures and Restrictions Act, or their successors, and other fiscal
 7 control laws of this State, where applicable, and regulations promulgated by
 8 the Department of Finance and Administration, as authorized by law, shall be
 9 strictly complied with in disbursement of said funds.

10
 11 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General Assembly
 12 that any funds disbursed under the authority of the appropriations contained
 13 in this act shall be in compliance with the stated reasons for which this act
 14 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 15 and Legislative Recommendations contained in the budget manuals prepared by
 16 the Department of Finance and Administration, letters, or summarized oral
 17 testimony in the official minutes of the Arkansas Legislative Council or
 18 Joint Budget Committee which relate to its passage and adoption.

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