

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S4/5/13

A Bill

HOUSE BILL 1119

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 EDUCATION - ARKANSAS SCHOOL FOR THE BLIND FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 ARKANSAS SCHOOL FOR THE BLIND
17 APPROPRIATION FOR THE 2013-2014 FISCAL
18 YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Education - Arkansas School for the Blind for the 2013-2014
26 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
32	(1) U030U	BLIND SCHOOL SUPERINTENDENT	1	\$97,088
33	(2) E004C	SCHOOL PRINCIPAL	2	GRADE C126
34	(3) A050C	AGENCY FISCAL MANAGER	1	GRADE C121
35	(4) L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
36	(5) L038C	REGISTERED NURSE	1	GRADE C120



1	(6)	E024C	TEACHER SUPERVISOR	1	GRADE C120
2	(7)	E036C	CERTIFIED MASTERS DEGREE LIBRARIAN	1	GRADE C119
3	(8)	E035C	CERTIFIED MASTERS TEACHER	36	GRADE C119
4	(9)	D061C	INFORMATION SYSTEMS COORD SPECIALIST	1	GRADE C119
5	(10)	L042C	SCHOOL SPEECH PATHOLOGIST	1	GRADE C119
6	(11)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
7	(12)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
8	(13)	M024C	RESIDENTIAL SERVICES MANAGER	1	GRADE C118
9	(14)	A082C	ACCOUNTANT II	1	GRADE C117
10	(15)	E044C	CERTIFIED BACHELORS TEACHER	3	GRADE C117
11	(16)	C037C	ADMINISTRATIVE ANALYST	2	GRADE C115
12	(17)	S033C	MAINTENANCE SUPERVISOR	1	GRADE C115
13	(18)	S047C	LANDSCAPE SUPERVISOR	1	GRADE C113
14	(19)	L069C	LICENSED PRACTICAL NURSE	2	GRADE C113
15	(20)	C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
16	(21)	C058C	EDUCATION PARAPROFESSIONAL	5	GRADE C111
17	(22)	M074C	RESIDENTIAL ADVISOR	14	GRADE C111
18	(23)	C073C	ADMINISTRATIVE SPECIALIST II	2	GRADE C109
19	(24)	E056C	TEACHER ASSISTANT	1	GRADE C109
20	(25)	S068C	FOOD PREPARATION COORDINATOR	3	GRADE C108
21	(26)	S065C	MAINTENANCE ASSISTANT	1	GRADE C108
22	(27)	C087C	ADMINISTRATIVE SPECIALIST I	1	GRADE C106
23	(28)	S086C	COOK	6	GRADE C104
24	(29)	S087C	INSTITUTIONAL SERVICES ASSISTANT	<u>4</u>	GRADE C103
25			MAX. NO. OF EMPLOYEES	97	

26

27 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 28 of Education - Arkansas School for the Blind for the 2013-2014 fiscal year,
 29 the following maximum number of part-time or temporary employees, to be known
 30 as "Extra Help", payable from funds appropriated herein for such purposes:
 31 seventeen (17) temporary or part-time employees, when needed, at rates of pay
 32 not to exceed those provided in the Uniform Classification and Compensation
 33 Act, or its successor, or this act for the appropriate classification.

34

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

1 to be payable from the School for the Blind Fund Account, for personal
 2 services and operating expenses of the Department of Education - Arkansas
 3 School for the Blind - State Operations for the fiscal year ending June 30,
 4 2014, the following:

6	ITEM	FISCAL YEAR
7	<u>NO.</u>	<u>2013-2014</u>
8	(01) REGULAR SALARIES	\$3,714,437
9	(02) EXTRA HELP	14,325
10	(03) PERSONAL SERVICES MATCHING	1,363,666
11	(04) OVERTIME	19,220
12	(05) MAINT. & GEN. OPERATION	
13	(A) OPER. EXPENSE	824,710
14	(B) CONF. & TRAVEL	17,015
15	(C) PROF. FEES	100,000
16	(D) CAP. OUTLAY	25,000
17	(E) DATA PROC.	0
18	(06) SPECIAL MAINTENANCE	250,000
19	(07) VOCATIONAL WORKSTUDY	10,000
20	(08) SUMMER PROJECTS	<u>90,000</u>
21	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,428,373</u></u>

22

23 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 24 appropriated, to the Department of Education - Arkansas School for the Blind,
 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 Blind - Federal Operations
 28 for the fiscal year ending June 30, 2014, the following:

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30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2013-2014</u>
32	(01) REGULAR SALARIES	\$52,822
33	(02) EXTRA HELP	15,000
34	(03) PERSONAL SERVICES MATCHING	23,713
35	(04) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	241,050

1	(B) CONF. & TRAVEL	61,382
2	(C) PROF. FEES	203,432
3	(D) CAP. OUTLAY	154,000
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$751,399</u></u>

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7 SECTION 5. APPROPRIATION - CASH OPERATIONS. There is hereby
 8 appropriated, to the Department of Education - Arkansas School for the Blind,
 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 Blind, for operating
 11 expenses of the Department of Education - Arkansas School for the Blind -
 12 Cash Operations for the fiscal year ending June 30, 2014, the following:

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14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2013-2014</u>
16	(01) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	\$186,508
18	(B) CONF. & TRAVEL	13,000
19	(C) PROF. FEES	100,000
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	0
22	(02) SPECIAL MAINTENANCE	<u>125,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u><u>\$424,508</u></u>

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25 SECTION 6. APPROPRIATION - BRAILLE AND LARGE PRINT TEXTBOOKS. There is
 26 hereby appropriated, to the Department of Education - Arkansas School for the
 27 Blind, to be payable from the School for the Blind Fund Account, for
 28 purchasing, copying, and shipping Braille and large print textbooks for the
 29 blind and visually impaired students attending the public schools in Arkansas
 30 by the Department of Education - Arkansas School for the Blind - Braille and
 31 Large Print Textbooks for the fiscal year ending June 30, 2014, the
 32 following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2013-2014</u>
36	(01) BRAILLE AND LARGE PRINT TEXTBOOKS	<u><u>\$173,024</u></u>

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2 SECTION 7. APPROPRIATION - BUILDING DEMOLITION AND ENVIRONMENTAL
3 CLEAN-UP. There is hereby appropriated, to the Department of Education -
4 Arkansas School for the Blind, to be payable from cash funds as defined by
5 Arkansas Code 19-4-801 of the Department of Education - Arkansas School for
6 the Blind, for maintenance and general operating expenses related to the
7 demolition and environmental clean-up of the building located on the Blind
8 School Grounds that was formerly occupied by Easter Seals Arkansas for the
9 fiscal year ending June 30, 2014, the following:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2013-2014</i></u>
<i>(01) MAINTENANCE AND GENERAL OPERATING EXPENSES</i>	<u><u><i>\$450,000</i></u></u>

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15 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
17 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
18 Arkansas School for the Blind shall transfer appropriation from Item No.(08)
19 Summer Projects, in Section 3 of this Act, to Item No. (01) through Item No.
20 (05) in Section 3 of this Act, to compensate staff who work during the summer
21 months on summer projects, and to cover other expenses of summer project
22 activities. The Summer Projects line item may also be used for the annual
23 cost related to the compensation of eligible staff for shift differential pay
24 as well as compensation of employees for performance of duties assigned as
25 referenced in Section 9 of this Act. Such additional compensation shall not
26 be construed as exceeding the maximum salary authorized for said employees.

27 The provisions of this section shall be in effect only from July 1, ~~2012~~
28 2013 through June 30, ~~2013~~ 2014.

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

- 35 1) Teaching adult education classes, parent training, student tutorial
- 36 services on weekends or evenings

1 2) Coaching one or more sports

2 3) Sponsoring a club or organization that involves additional hours
3 outside of the normal working day

4 4) Interpretive Services

5 Compensation for additional duties may not exceed \$3,500 per school term for
6 any one employee during each fiscal year. Such pay shall not be construed as
7 exceeding the maximum salary authorized for said position.

8 The provisions of this section shall be in effect only from July 1, ~~2012~~
9 2013 through June 30, ~~2013~~ 2014.

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11 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

13 ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or
14 other form of compensation from the Arkansas Schools for the Deaf or Blind
15 shall be paid an additional salary or receive additional compensation, other
16 than reimbursement for actual expenses, from that agency, nor from any other
17 agency or institution of higher education, except from the Superintendent's
18 written certification to and approval by the Chief Fiscal Officer of the
19 State that the work performed by the employee for the other position does not
20 interfere with the proper and required performance of the employee's primary
21 duties, and that the combined salary payments from both positions will not
22 exceed the maximum annual salary for whichever of the two positions has the
23 higher authorized maximum annual salary.

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

30 The provisions of this section shall be in effect only from July 1, ~~2012~~
31 2013 through June 30, ~~2013~~ 2014.

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33 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
35 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are
36 authorized to establish a joint paying account in the State Treasury, upon

1 direction of the Board of Trustees for the Arkansas School for the Blind and
2 the Arkansas School for the Deaf. The Board may transfer positions, funds
3 and appropriations to the paying account from either school to serve both
4 schools in the areas of Accounting, Personnel, Inventory, Safety and Health
5 Services.

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

13 The provisions of this section shall be in effect only from July 1, ~~2012~~
14 2013 through June 30, ~~2013~~ 2014.

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16 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BRAILLE
18 AND LARGE PRINT TEXTBOOKS. The State Board of Education shall make reasonable
19 rules and regulations to implement the Braille and Large Print Textbooks
20 appropriation and is hereby authorized to negotiate directly with publishers
21 of Braille and Large Print Textbooks for the purchase of such textbooks. The
22 Arkansas School for the Blind (ASB) is authorized to use funds from this
23 account for costs associated with providing Braille Textbooks and Large Print
24 Textbooks to public schools.

25 The provisions of this section shall be in effect only from July 1, ~~2012~~
26 2013 through June 30, ~~2013~~ 2014.

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28 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER
30 SCHOOL EMPLOYEES. Employees who, in addition to working during the regular
31 school term, also work during summer months shall be authorized as additional
32 compensation an amount not to exceed 1/12 of their annual salary for each
33 month or part thereof worked. Such additional compensation shall not be
34 construed as exceeding the maximum salary authorized for said employees.
35 Payment of additional compensation shall be limited to employees in the
36 following classifications:

1	SUMMER SCHOOL POSITIONS	GRADE
2	Certified Bachelor's Teacher	C117
3	Certified Masters Teacher	C119
4	Teacher Supervisor	C120
5	Educational Specialist	C120
6	Assistant Principal	C123

7 The provisions of this section shall be in effect only from July 1, ~~2012~~
8 2013 through June 30, ~~2013~~ 2014.

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10 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CERTIFIED
12 MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the
13 superintendent's certification to the State Personnel Administrator of prior
14 service at an educational institution, the salary of teachers entering state
15 service as teachers for the sensory impaired may be adjusted to a rate of pay
16 closest to but not less than the annual salary they would have received from
17 their previous employer, effective upon employment at ASB.

18 The provisions of this section shall be in effect only from July 1, ~~2012~~
19 2013 through June 30, ~~2013~~ 2014.

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

27 The provisions of this section shall be in effect only from July 1, ~~2012~~
28 2013 through June 30, ~~2013~~ 2014.

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30 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
32 RATES OF PAY. Due to the need to meet the minimum compensation schedule as
33 established by Act 74 of the 2nd Extraordinary Session of the 84th General
34 Assembly, or its successor, for public school teachers, counselors, and
35 librarians and other education professionals as listed in subsection (a)
36 below, the Arkansas School for the Blind is authorized to adjust current or

1 new employees to at least the minimum level of compensation for public school
2 employees.

3 For current or new employees in the positions listed in subsection (a)
4 below, the Arkansas School for the Blind may implement salary adjustments to
5 maintain equity between their teacher salaries and those of Central Arkansas
6 Public School Systems only after a plan for determining and implementing
7 those adjustments has been reviewed by the Office of Personnel Management and
8 by the Personnel Committee of the Arkansas Legislative Council and approved
9 by the Chief Fiscal Officer of the State.

10 For purposes of implementing the plan, the Arkansas School for the Blind
11 is authorized special rates of pay up to the maximum of the assigned grade
12 for classifications listed in subsection (a) below.

13 (a) TITLE	GRADE
14 Certified Bachelor's Teacher	C117
15 Certified Masters Teacher	C119
16 Certified Masters Degree Librarian	C119
17 Education Counselor	C119
18 School Speech Pathologist	C119
19 Teacher Supervisor	C120
20 Educational Specialist	C120
21 Assistant Principal	C123
22 School Principal	C126

23 Funding for the minimum compensation provided for in this section that
24 is supported in whole or in part from general revenues, shall, if required,
25 be provided by a transfer from the Merit Adjustment Fund to the proper fund
26 or fund account and in such amounts as determined by the Chief Fiscal Officer
27 of the State. The Arkansas School for the Blind shall, in addition to the
28 funds provided in this Act for Annual Career Service Recognition Payments
29 from the Merit Adjustment Fund, make available any funding generated from
30 agency salary savings for such purposes from the funds or fund accounts as
31 provided by law.

32 The provisions of this section shall be in effect only from July 1, ~~2012~~
33 2013 through June 30, ~~2013~~ 2014.

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35 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
36 authorized by this act shall be limited to the appropriation for such agency

1 and funds made available by law for the support of such appropriations; and
2 the restrictions of the State Procurement Law, the General Accounting and
3 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
4 Procedures and Restrictions Act, or their successors, and other fiscal
5 control laws of this State, where applicable, and regulations promulgated by
6 the Department of Finance and Administration, as authorized by law, shall be
7 strictly complied with in disbursement of said funds.

8
9 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General
10 Assembly that any funds disbursed under the authority of the appropriations
11 contained in this act shall be in compliance with the stated reasons for
12 which this act was adopted, as evidenced by the Agency Requests, Executive
13 Recommendations and Legislative Recommendations contained in the budget
14 manuals prepared by the Department of Finance and Administration, letters, or
15 summarized oral testimony in the official minutes of the Arkansas Legislative
16 Council or Joint Budget Committee which relate to its passage and adoption.

17
18 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the
19 General Assembly, that the Constitution of the State of Arkansas prohibits
20 the appropriation of funds for more than a one (1) year period; that the
21 effectiveness of this Act on July 1, 2013 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the legislative session, the delay in the
24 effective date of this Act beyond July 1, 2013 could work irreparable harm
25 upon the proper administration and provision of essential governmental
26 programs. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health
28 and safety shall be in full force and effect from and after July 1, 2013.

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30 */s/Joint Budget Committee*
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