

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**ACT 497 OF 1993**  
**HOUSE BILL 1284**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION -  
10 SCHOOL FOR THE DEAF FOR THE BIENNIAL PERIOD ENDING JUNE  
11 30, 1995; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION - SCHOOL FOR THE  
15 DEAF APPROPRIATION."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the  
20 Department of Education - School for the Deaf for the 1993-95 biennium, the  
21 following maximum number of regular employees whose salaries shall be governed  
22 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
23 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
24 Provided, however, that any position to which a specific maximum annual salary  
25 is set out herein in dollars, shall be exempt from the provisions of said  
26 Uniform Classification and Compensation Act. All persons occupying positions  
27 authorized herein are hereby governed by the provisions of the Regular  
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
29 successor.

Item	Class	No.	Code	Title	Employees	Maximum Annual	
						1993-94	1994-95
						Maximum	Salary Rate
						No. of	Fiscal Years
34	<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1993-94</del>	<del>1994-95</del>	
35	(1)	9949	ED SUPT DEAF SCHOOL	1	\$ 54,016	\$ 55,906	
36	(2)	297Z	GENERAL BUSINESS MANAGER	1		GRADE 24	

1	(3) E015 ED SCHOOL PRINCIPAL	2	GRADE 23
2	M122 EVAL/ADMISSIONS/HLTH SVCS MGR	1	
3	(4) E057 TEACHER F/T SENSORY IMPAIRED SUPV	2	GRADE 22
4	909Z PROGRAM SUPPORT MANAGER	1	
5	(5) L122 PSYCHOLOGICAL EXAMINER II	2	GRADE 21
6	M090 CAMPUS LIFE COORDINATOR	1	
7	E028 ED PROGRAM ADMINISTRATOR	1	
8	(6) L104 PHYSICAL THERAPIST II/PHYSICAL THPT	1	GRADE 20
9	R266 MANAGEMENT PROJECT ANALYST II	2	
10	L008 AUDIOLOGIST	3	
11	L140 SPEECH PATHOLOGIST II	4	
12	M028 COUNSELOR II	1	
13	E077 TEACHER F/T SENSORY IMPAIRED IV	3	
14	E078 VOCATIONAL INSTRUCTOR IV	6	
15	(7) M086 SOCIAL WORKER I	1	GRADE 19
16	E063 TEACHER FOR SENSORY IMPAIRED III	48	
17	L028 DIETICIAN	1	
18	E014 DIRECTOR OF MULTI-MEDIA SERVICES	1	
19	(8) G028 BUILDING PLANT MAINTENANCE SUPV II	1	GRADE 18
20	A111 ACCOUNTANT	1	
21	L138 SPEECH PATHOLOGIST I	1	
22	E037 LIBRARIAN II	1	
23	(9) Y057 JOURNEYMAN PAINTER	1	GRADE 17
24	Y039 HEATING & A/C MECHANIC	1	
25	Y055 JOURNEYMAN ELECTRICIAN	1	
26	R190 PERSONNEL OFFICER II	1	
27	(10) M039 HOUSEPARENT SUPERVISOR	3	GRADE 15
28	M048 RECREATIONAL ACTIVITY LEADER II	4	
29	A108 ACCOUNTING TECHNICIAN II	1	
30	(11) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
31	L049 LPN II	3	
32	(12) E027 INSTITUTIONAL TEACHER ASSISTANT	7	GRADE 13
33	M037 HOUSEPARENT	30	
34	G021 BOILER OPERATOR	1	
35	H049 SUPERVISOR OF COOKING	1	

1	K153 SECRETARY II	5	
2	E017 INSTITUTION ASSISTANT LIBRARIAN	1	
3	(13) A106 ACCOUNTING TECHNICIAN I	2	GRADE 12
4	(14) H047 MEAT CUTTER II/BUTCHER II	1	GRADE 11
5	K155 SECRETARY I	4	
6	(15) G165 WORK MAINTENANCE LEADER	2	GRADE 10
7	H027 COOK II	4	
8	(16) H003 BAKER I	3	GRADE 08
9	H025 COOK I	13	
10	G109 BLDG/EQUIP MAINT REPAIRMAN II	1	
11	(17) G008 LAUNDRY WORKER	1	GRADE 04
12	G173 MAINTENANCE WORKER I	<u>9</u>	
13	MAX NO. OF EMPLOYEES	188	

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

16 Department of Education - School for the Deaf for the 1993-95 biennium, the

17 following maximum number of part-time or temporary employees, to be known as

18 "Extra Help", payable from funds appropriated herein for such purposes:

19 Eighteen (18) temporary or part-time employees, when needed, at rates of pay

20 not to exceed those provided in the Uniform Classification and Compensation

21 Act, or its successor, or this act for the appropriate classification.

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23 SECTION 3. APPROPRIATIONS - STATE. There is hereby appropriated, to the

24 Department of Education - School for the Deaf, to be payable from the School

25 for the Deaf Fund Account, for personal services and operating expenses of the

26 Department of Education - School for the Deaf - State for the biennial period

27 ending June 30, 1995, the following:

29	<u>ITEM</u>	<u>FISCAL YEARS</u>	
30	NO.	1993-94	1994-95
31	(01) REGULAR SALARIES	\$ 3,798,875	\$ 3,932,765
32	(02) EXTRA HELP	13,529	13,529
33	(03) PERSONAL SERV MATCHING	1,224,744	1,254,309
34	(04) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSE \$	832,929 \$	832,929

1	(B) CONF. & TRVL.	20,000	20,000
2	(C) PROF. FEES	75,000	75,000
3	(D) CAP. OUTLAY	45,000	45,000
4	(E) DATA PROC.	<u>0</u>	<u>0</u>
5	TOTAL MAINT. & GEN. OPER.		972,929 972,929
6	(05) DEFERRED MAINTENANCE		<u>75,000</u> <u>75,000</u>
7	TOTAL AMOUNT APPROPRIATED		<u>\$ 6,085,077</u> <u>\$ 6,248,532</u>

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9 SECTION 4. APPROPRIATIONS - FEDERAL VOCATIONAL EDUCATION. There is

10 hereby appropriated, to the Department of Education - School for the Deaf, to

11 be payable from the federal funds as designated by the Chief Fiscal Officer of

12 the State, for operating expenses of the Department of Education - School for

13 the Deaf - Federal Vocational Education for the biennial period ending June

14 30, 1995, the following:

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16	ITEM	FISCAL YEARS	
17	NO.	1993-94	1994-95
18	(01) MAINT. & GEN. OPERATION		
19	(A) OPER. EXPENSE \$	0 \$	0
20	(B) CONF. & TRVL.	0	0
21	(C) PROF. FEES	0	0
22	(D) CAP. OUTLAY	17,000	17,000
23	(E) DATA PROC.	<u>0</u>	<u>0</u>
24	TOTAL MAINT. & GEN. OPER.	<u>17,000</u>	<u>17,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 17,000</u>	<u>\$ 17,000</u>

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27 SECTION 5. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby

28 appropriated, to the Department of Education - School for the Deaf, to be

29 payable from the federal funds as designated by the Chief Fiscal Officer of

30 the State, for personal services and operating expenses of the Department of

31 Education - School for the Deaf - Federal Operations for the biennial period

32 ending June 30, 1995, the following:

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34	ITEM	FISCAL YEARS	
35	NO.	1993-94	1994-95

1	(01)	REGULAR SALARIES		\$	93,391	\$	96,682
2	(02)	PERSONAL SERV MATCHING			28,591		29,318
3	(03)	MAINT. & GEN. OPERATION					
4	(A)	OPER. EXPENSE	\$	23,703	\$	23,703	
5	(B)	CONF. & TRVL.		4,611		4,611	
6	(C)	PROF. FEES		0		0	
7	(D)	CAP. OUTLAY		7,000		7,000	
8	(E)	DATA PROC.		<u>0</u>		<u>0</u>	
9		TOTAL MAINT. & GEN. OPER.			<u>35,314</u>		<u>35,314</u>
10		TOTAL AMOUNT APPROPRIATED			<u>\$ 157,296</u>		<u>\$ 161,314</u>

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12 SECTION 6. APPROPRIATIONS - AREA SERVICES FOR LOW INCIDENCE HANDICAPPED.

13 There is hereby appropriated, to the Department of Education - School for the  
 14 Deaf, to be payable from the federal funds as designated by the Chief Fiscal  
 15 Officer of the State, for personal services and operating expenses of the  
 16 Department of Education - School for the Deaf - Area Services for Low  
 17 Incidence Handicapped for the biennial period ending June 30, 1995, the  
 18 ~~following:~~

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20	ITEM			FISCAL YEARS	
21	NO.			1993-94	1994-95
22	(01)	REGULAR SALARIES		\$ 404,515	\$ 418,779
23	(02)	PERSONAL SERV MATCHING		120,054	123,205
24	(03)	MAINT. & GEN. OPERATION			
25	(A)	OPER. EXPENSE	\$	102,818	\$ 102,818
26	(B)	CONF. & TRVL.		18,240	18,240
27	(C)	PROF. FEES		6,000	6,000
28	(D)	CAP. OUTLAY		12,000	12,000
29	(E)	DATA PROC.		<u>0</u>	<u>0</u>
30		TOTAL MAINT. & GEN. OPER.		<u>139,058</u>	<u>139,058</u>
31		TOTAL AMOUNT APPROPRIATED		<u>\$ 663,627</u>	<u>\$ 681,042</u>

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33 SECTION 7. APPROPRIATIONS - MEDICAID PROVIDER PROGRAM. There is hereby  
 34 appropriated, to the Department of Education - School for the Deaf, to be  
 35 payable from the federal funds as designated by the Chief Fiscal Officer of

1 the State, for operating expenses of the Department of Education - School for  
2 ~~the Deaf Medicaid Provider Program for the biennial period ending June 30,~~  
3 1995, the following:

4		FISCAL YEARS	
5 ITEM		1993-94	1994-95
6 NO.			
7 (01)	MAINT. & GEN. OPERATION		
8	(A) OPER. EXPENSE \$	13,000 \$	13,000
9	(B) CONF. & TRVL.	10,000	10,000
10	(C) PROF. FEES	8,000	8,000
11	(D) CAP. OUTLAY	37,000	37,000
12	(E) DATA PROC.	<u>0</u>	<u>0</u>
13	TOTAL MAINT. & GEN. OPER.	<u>68,000</u>	<u>68,000</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 68,000</u>	<u>\$ 68,000</u>

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16 SECTION 8. APPROPRIATIONS - DEAF/BLIND. There is hereby appropriated,  
17 to the Department of Education - School for the Deaf, to be payable from the  
18 federal funds as designated by the Chief Fiscal Officer of the State, for  
19 personal services and operating expenses of the Department of Education -  
20 ~~School for the Deaf Deaf/Blind for the biennial period ending June 30, 1995,~~  
21 the following:

22		FISCAL YEARS	
23 ITEM		1993-94	1994-95
24 NO.			
25 (01)	REGULAR SALARIES	\$ 62,723	\$ 64,933
26 (02)	PERSONAL SERV MATCHING	18,402	18,892
27 (03)	MAINT. & GEN. OPERATION		
28	(A) OPER. EXPENSE \$	14,500 \$	14,500
29	(B) CONF. & TRVL.	5,000	5,000
30	(C) PROF. FEES	4,000	4,000
31	(D) CAP. OUTLAY	6,500	6,500
32	(E) DATA PROC.	<u>0</u>	<u>0</u>
33	TOTAL MAINT. & GEN. OPER.	<u>30,000</u>	<u>30,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 111,125</u>	<u>\$ 113,825</u>

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1 SECTION 9. APPROPRIATIONS - CASH. There is hereby appropriated, to the  
 2 Department of Education - School for the Deaf, to be payable from cash funds  
 3 as defined by Arkansas Code 19-4-801 of the Department of Education - School  
 4 ~~for the Deaf, for operating expenses of the Department of Education - School~~  
 5 for the Deaf - Cash for the biennial period ending June 30, 1995, the  
 6 following:

8 ITEM	FISCAL YEARS	
9 NO.	1993-94	1994-95
10 (01) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE \$	120,136 \$	120,136
12 (B) CONF. & TRVL.	5,000	5,000
13 (C) PROF. FEES	3,000	3,000
14 (D) CAP. OUTLAY	30,000	30,000
15 (E) DATA PROC.	<u>0</u>	<u>0</u>
16 TOTAL MAINT. & GEN. OPER.	<u>158,136</u>	<u>158,136</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$ 158,136</u>	<u>\$ 158,136</u>

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 19 SECTION 10. SUMMER SCHOOL EMPLOYEES. Employees who, in addition to  
 20 working during the regular school term, also work during summer months shall  
 21 be authorized as additional compensation an amount not to exceed 1/12 of their  
 22 annual salary for each month or part thereof worked. Such additional  
 23 compensation shall not be construed as exceeding the maximum salary authorized  
 24 for said employees.

25 Payment of additional compensation shall be limited to employees in the  
 26 following classifications:

27 <u>SUMMER SCHOOL POSITIONS</u>	<u>GRADE</u>
28 Teacher for the Sens Imp I	17
29 Teacher for the Sens Imp II	18
30 Teacher for the Sens Imp III	19
31 Teacher for the Sens Imp IV	20
32 Speech Pathologist II	20
33 Vocational Instructor II	18
34 Vocational Instructor III	19
35 Vocational Instructor IV	20

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SECTION 11. Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution and most recent contractual salary, the salary of teachers holding certification in teaching the hearing impaired and entering state service as teachers for the sensory impaired may be adjusted to a rate of pay closest to but not less than their most recent annual salary.

SECTION 12. SHIFT DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

SECTION 13. SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special allowances available to any instructor (Teacher for the Sensory Impaired I, II, III, IV and Teacher Assistant) who performs one of the following duties in addition to their normal teaching duties:

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

Compensation for additional duties may not exceed \$3,000 per school term for any one instructor during each year of the 1993-95 biennium.

*SECTION 14. No employee drawing a salary or other form of compensation from the Arkansas Schools for the Deaf or Blind shall be paid an additional salary or receive additional compensation, other than reimbursement for actual expenses, from that agency, nor from any other agency or institution of higher education, except from the Superintendent's written certification to and approval by the Chief Fiscal Officer of the state that the work performed by the employee for the other position does not interfere with the proper and required performance of the employee's primary duties, and that the combined salary payments from both positions will not exceed the maximum annual salary for whichever of the two positions has the higher authorized maximum annual salary.*

*Any employee knowingly violating the provisions of this section shall be*

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

6

7 SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
8 authorized by this Act shall be limited to the appropriation for such agency  
9 and funds made available by law for the support of such appropriations; and  
10 the restrictions of the State Purchasing Law, the General Accounting and  
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
12 Procedures and Restrictions Act, or their successors, and other fiscal control  
13 laws of this State, where applicable, and regulations promulgated by the  
14 Department of Finance and Administration, as authorized by law, shall be  
15 strictly complied with in disbursement of said funds.

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

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26 SECTION 17. CODE. All provisions of this Act of a general and  
27 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the  
28 Arkansas Code Revision Commission shall incorporate the same in the Code.

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30 SECTION 18. SEVERABILITY. If any provision of this Act or the  
31 application thereof to any person or circumstance is held invalid, such  
32 invalidity shall not affect other provisions or applications of the Act which  
33 can be given effect without the invalid provision or application, and to this  
34 end the provisions of this Act are declared to be severable.

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1 SECTION 19. GENERAL REPEALER. All laws and parts of laws in conflict  
2 with this Act are hereby repealed.

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4 SECTION 20. EMERGENCY CLAUSE. It is hereby found and determined by the  
5 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
6 prohibits the appropriation of funds for more than a two (2) year period; that  
7 the effectiveness of this Act on July 1, 1993 is essential to the operation of  
8 the agency for which the appropriations in this Act are provided, and that in  
9 the event of an extension of the Regular Session, the delay in the effective  
10 date of this Act beyond July 1, 1993 could work irreparable harm upon the  
11 proper administration and provision of essential governmental programs.  
12 Therefore, an emergency is hereby declared to exist and this Act being  
13 necessary for the immediate preservation of the public peace, health and  
14 safety shall be in full force and effect from and after July 1, 1993.

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23 */s/John E. Miller*

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25 APPROVED: 03/15/93

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***As Engrossed: 3/2/93***

**HB 1284**

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