

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 810 OF 1995
HOUSE BILL 1239

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 BLIND FOR THE BIENNIAL PERIOD ENDING JUNE
11 30, 1997; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION
15 - SCHOOL FOR THE BLIND APPROPRIATION FOR
16 THE 1995-97 BIENNIUM."

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

20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Department of Education - School for the Blind for the 1995-97 biennium, the
22 following maximum number of regular employees whose salaries shall be governed
23 by the provisions of the Uniform Classification and Compensation Act (Arkansas
24 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual salary
26 is set out herein in dollars, shall be exempt from the provisions of said
27 Uniform Classification and Compensation Act. All persons occupying positions
28 authorized herein are hereby governed by the provisions of the Regular
29 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
30 successor.

Item	Class	No. of	Maximum Annual	
			Employees	Salary Rate
No.	Code	Title	1995-96	1996-97
36	(1) 9948	ED SUPT BLIND SCHOOL	1	\$ 58,449 \$ 59,910

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2	(2) E015 ED SCHOOL PRINCIPAL	2	GRADE 23
3	(3) 909Z PROGRAM SUPPORT MANAGER	1	GRADE 22
4	(4) A008 ACCOUNTING SUPV. II	1	GRADE 21
5	L122 PSYCHOLOGICAL EXAMINER II	1	
6	(5) E077 TEACHER F/T SENSORY IMPAIRED IV	15	GRADE 20
7	L030 DIETARY SERVICES DIRECTOR	1	
8	L070 NURSE II	1	
9	M088 SOCIAL WORKER II	1	
10	(6) E063 TEACHER F/T SENSORY IMPAIRED III	40	GRADE 19
11	(7) M050 REC ACT LDR SUPV.	1	GRADE 18
12	A111 ACCOUNTANT	2	
13	E037 LIBRARIAN II	2	
14	(8) R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17
15	R190 PERSONNEL OFFICER II	1	
16	(9) M048 RECREATIONAL ACTIVITY LEADER II	1	GRADE 15
17	L115 LPN II	2	
18	M039 HOUSEPARENT SUPERVISOR	2	
19	(10) K061 LIBRARY TECHNICAL ASST III	1	GRADE 14
20	(11) K153 SECRETARY II	4	GRADE 13
21	E017 INSTITUTION ASSISTANT LIBRARIAN	1	
22	E027 INSTITUTIONAL TEACHER ASSISTANT	5	
23	M047 RECREATIONAL ACTIVITY LEADER I	1	
24	M037 HOUSEPARENT	14	
25	(12) K155 SECRETARY I	2	GRADE 11
26	K059 LIBRARY TECHNICAL ASST II	1	
27	(13) H027 COOK II	2	GRADE 10
28	(14) H003 BAKER I	1	GRADE 08
29	H025 COOK I	2	
30	L079 NURSING AIDE/NURSING ASST I	1	
31	(15) H043 FOOD SERVICE WORKER II	1	GRADE 05
32	(16) G075 HOUSEKEEPER	1	GRADE 04
33	(17) H039 FOOD SERVICE WORKER I	9	GRADE 03
34	G171 CUSTODIAL WRKR I	<u>4</u>	
35	MAX NO. OF EMPLOYEES	126	

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2 SECTION 2. EXTRA HELP. There is hereby authorized, for the
 3 Department of Education - School for the Blind for the 1995-97 biennium, the
 4 following maximum number of part-time or temporary employees, to be known as
 5 "Extra Help", payable from funds appropriated herein for such purposes:
 6 Twelve (12) temporary or part-time employees, when needed, at rates of pay not
 7 to exceed those provided in the Uniform Classification and Compensation Act,
 8 or its successor, or this act for the appropriate classification.

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10 SECTION 3. APPROPRIATIONS - STATE. There is hereby appropriated, to the
 11 Department of Education - School for the Blind, to be payable from the School
 12 for the Blind Fund Account, for personal services and operating expenses of
 13 the Department of Education - School for the Blind for the biennial period
 14 ending June 30, 1997, the following:

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16 ITEM		FISCAL YEARS	
17 NO.		1995-96	1996-97
18 (01)	REGULAR SALARIES	\$ 2,781,968	\$ 2,781,968
19 (02)	EXTRA HELP	7,000	7,000
20 (03)	PERSONAL SERV MATCHING	868,135	868,243
21 (04)	OVERTIME	8,373	8,873
22 (05)	MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE \$ 375,242	\$ 378,242	
24	(B) CONF. & TRVL. 4,515	4,515	
25	(C) PROF. FEES 37,100	37,100	
26	(D) CAP. OUTLAY 50,000	50,000	
27	(E) DATA PROC. 1,800	1,800	
28	TOTAL MAINT. & GEN. OPER.	468,657	471,657
29 (06)	STUDENT VOCATIONAL EDUC	7,500	7,500
30 (07)	DEFERRED MAINTENANCE	25,000	25,000
31 (08)	SUMMER SCHOOL	20,000	20,000
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,186,633</u>	<u>\$ 4,190,241</u>

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34 SECTION 4. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby
 35 appropriated, to the Department of Education - School for the Blind, to be

1 payable from the federal funds as designated by the Chief Fiscal Officer of
2 the State, for personal services and operating expenses of the Department of
3 Education - School for the Blind - Federal Operations for the biennial period
4 ending June 30, 1997, the following:

6 ITEM	FISCAL YEARS	
7 NO.	1995-96	1996-97
8 (01) REGULAR SALARIES	\$ 488,116	\$ 488,116
9 (02) PERSONAL SERV MATCHING	148,100	148,100
10 (03) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE \$	110,350	\$ 110,350
12 (B) CONF. & TRVL.	20,882	20,882
13 (C) PROF. FEES	4,632	4,632
14 (D) CAP. OUTLAY	50,000	50,000
15 (E) DATA PROC.	<u>0</u>	<u>0</u>
16 TOTAL MAINT. & GEN. OPER.	<u>185,864</u>	<u>185,864</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$ 822,080</u>	<u>\$ 822,080</u>

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19 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the
20 Department of Education - School for the Blind, to be payable from cash funds
21 as defined by Arkansas Code 19-4-801 of the Department of Education - School
22 for the Blind, for operating expenses of the Department of Education - School
23 for the Blind for the biennial period ending June 30, 1997, the following:

25 ITEM	FISCAL YEARS	
26 NO.	1995-96	1996-97
27 (01) MAINT. & GEN. OPERATION		
28 (A) OPER. EXPENSE \$	186,008	\$ 186,508
29 (B) CONF. & TRVL.	9,500	9,500
30 (C) PROF. FEES	34,925	39,925
31 (D) CAP. OUTLAY	50,000	50,000
32 (E) DATA PROC.	<u>0</u>	<u>0</u>
33 TOTAL MAINT. & GEN. OPER.	<u>280,433</u>	<u>285,933</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$ 280,433</u>	<u>\$ 285,933</u>

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1 SECTION 6. APPROPRIATIONS - BRAILLE TEXTBOOKS. There is hereby
 2 appropriated, to the Department of Education - School for the Blind, to be
 3 payable from the School for the Blind Fund Account, for the purchase of
 4 braille and large print textbooks for visually impaired and blind students
 5 attending public schools in Arkansas by the Department of Education - School
 6 ~~for the Blind for the biennial period ending June 30, 1997, the following:~~

8 ITEM	FISCAL YEARS	
9 NO.	1995-96	1996-97
10 (01) PURCHASE BRAILLE TEXTBOOK	<u>\$ 85,000</u>	<u>\$ 85,000</u>

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 12 SECTION 7. The State Board of Education shall make reasonable rules and
 13 regulations to implement the Braille and Large Print Textbooks appropriation
 14 and is hereby authorized to negotiate directly with publishers of Braille and
 15 Large Print Textbooks for the purchase of such textbooks.

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 17 SECTION 8. SUMMER SCHOOL EMPLOYEES. Employees who, in addition to
 18 working during the regular school term, also work during summer months shall
 19 be authorized as additional compensation an amount not to exceed 1/12 of their
 20 annual salary for each month or part thereof worked. Such additional
 21 compensation shall not be construed as exceeding the maximum salary authorized
 22 for said employees. Payment of additional compensation shall be limited to
 23 employees in the following classifications:

24 SUMMER SCHOOL POSITIONS	GRADE
25 Teacher for the Sens Imp I	16
26 Teacher for the Sens Imp II	18
27 Teacher for the Sens Imp III	19
28 Teacher for the Sens Imp IV	20

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 31 SECTION 9. Upon the superintendent's certification to the State
 32 Personnel Administrator of prior service at an educational institution and
 33 most recent contractual salary, the salary of teachers holding certification
 34 in teaching the visually impaired and entering state service as teachers for
 35 the sensory impaired may be adjusted to a rate of pay closest to but not less

1 than their most recent annual salary.

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3 SECTION 10. SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and
4 Blind may make special allowances available to any employee who performs one
5 of the following duties in addition to their normal duties:

6 1) Teaching adult education classes on weekends or evenings

7 2) Coaching one or more sports

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

10 Compensation for additional duties may not exceed \$3,000 per school term
11 for any one employee during each fiscal year.

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13 SECTION 11. TRANSFER PROVISION. Upon approval from the Chief Fiscal
14 Officer of the State, the Arkansas School for the Blind shall transfer
15 appropriation from Item No. (08) Summer School, in Section 3 of this Act, to
16 Item No. (01) Regular Salaries and to Item No. (03) Personal Services
17 Matching, in Section 3 of this Act, to compensate Teachers, Houseparents, Food
18 Service and Nursing staff who work during the summer school term and to
19 compensate coaches and organization sponsors as referenced in Section 10 of
20 this Act.

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22 SECTION 12. No employee drawing a salary or other form of compensation
23 from the Arkansas Schools for the Deaf or Blind shall be paid an additional
24 salary or receive additional compensation, other than reimbursement for actual
25 expenses, from that agency, nor from any other agency or institution of higher
26 education, except from the Superintendent's written certification to and
27 approval by the Chief Fiscal Officer of the state that the work performed by
28 the employee for the other position does not interfere with the proper and
29 required performance of the employee's primary duties, and that the combined
30 salary payments from both positions will not exceed the maximum annual salary
31 for whichever of the two positions has the higher authorized maximum annual
32 salary.

33 Any employee knowingly violating the provisions of this section shall be
34 subject to immediate termination and shall be barred from employment by any
35 agency or institution of the State of Arkansas for a period of not less than

1 three (3) years or until such employee shall repay to the State of Arkansas
2 any sums received by such employee in violation of this section, together with
3 interest at a rate of ten percent (10%) per annum.

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5 SECTION 13. POOL POSITIONS. *The Department of Education - School for*
6 *the Blind, may establish and maintain for the 1995-97 biennium a pool of fifty*
7 *(50) classified positions not to exceed the maximum grade of 24. These*
8 *positions are to be used if necessary in the event the School for the Blind*
9 *reorganizes during the 1995-97 biennium and the personnel services needs of*
10 *the School as authorized in Section 1 herein do not meet the needs of such*
11 *reorganization. To obtain a position from the pool, the School for the Blind*
12 *must surrender the position being reclassified. No classification, grade, or*
13 *salary level will be assigned to the pool positions until such time as*
14 *specific positions are requested by the School for the Blind and approved by*
15 *the Chief Fiscal Officer of the State after receiving prior review by the*
16 *Arkansas Legislative Council or Joint Budget Committee.*

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18 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
19 authorized by this Act shall be limited to the appropriation for such agency
20 and funds made available by law for the support of such appropriations; and
21 the restrictions of the State Purchasing Law, the General Accounting and
22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
23 Procedures and Restrictions Act, or their successors, and other fiscal control
24 laws of this State, where applicable, and regulations promulgated by the
25 Department of Finance and Administration, as authorized by law, shall be
26 strictly complied with in disbursement of said funds.

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28 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
29 Assembly. that any funds disbursed under the authority of the appropriations
30 contained in this Act shall be in compliance with the stated reasons for which
31 this Act was adopted, as evidenced by the Agency Requests, Executive
32 Recommendations and Legislative Recommendations contained in the budget
33 manuals prepared by the Department of Finance and Administration, letters, or
34 summarized oral testimony in the official minutes of the Arkansas Legislative
35 Council or Joint Budget Committee which relate to its passage and adoption.

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SECTION 16. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 17. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 18. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995.

/s/Rep. E. Thicksten

APPROVED: 3-28-95

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