

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

A Bill

ACT 957 OF 1995
HOUSE BILL 1249

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, 1997; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION
15 - SCHOOL FOR THE DEAF 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 Deaf 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)	9949 ED SUPT DEAF SCHOOL	1	\$ 58,449	\$ 59,910

1	(2)	297Z GENERAL BUSINESS MANAGER	1	GRADE 24
2	(3)	E015 ED SCHOOL PRINCIPAL	2	GRADE 23
3		M122 EVAL/ADMISSIONS/HLTH SVCS MGR	1	
4		990Z ED COORD STUDENT ASSESSMENT PROGRAM	1	
5	(4)	E057 TEACHER F/T SENSORY IMPAIRED SUPV	2	GRADE 22
6	(5)	L122 PSYCHOLOGICAL EXAMINER II	2	GRADE 21
7		M090 CAMPUS LIFE COORDINATOR	1	
8		L142 SPEECH PATHOLOGIST SUPV	1	
9		E028 ED PROGRAM ADMINISTRATOR	1	
10	(6)	L104 PHYSICAL THERAPIST II/PHYSICAL THPT	1	GRADE 20
11		R266 MANAGEMENT PROJECT ANALYST II	2	
12		L008 AUDIOLOGIST	3	
13		L140 SPEECH PATHOLOGIST II	3	
14		M028 COUNSELOR II	1	
15		E077 TEACHER F/T SENSORY IMPAIRED IV	3	
16		E078 VOCATIONAL INSTRUCTOR IV	6	
17	(7)	E063 TEACHER F/T SENSORY IMPAIRED III	48	GRADE 19
18		L028 DIETICIAN	1	
19		M086 SOCIAL WORKER I	1	
20		E014 DIRECTOR OF MULTI-MEDIA SERVICES	1	
21		E039 LIBRARIAN III	1	
22	(8)	G028 BUILDING PLANT MAINTENANCE SUPV II	1	GRADE 18
23		A111 ACCOUNTANT	1	
24		L138 SPEECH PATHOLOGIST I	1	
25	(9)	Y057 JOURNEYMAN PAINTER	2	GRADE 17
26		G161 GENERAL MAINTENANCE REP	1	
27		Y053 JOURNEYMAN CARPENTER	1	
28		Y039 HEATING & A/C MECHANIC	1	
29		Y055 JOURNEYMAN ELECTRICIAN	1	
30		R190 PERSONNEL OFFICER II	1	
31	(10)	V011 CENTRAL SUPPLY SUPV	1	GRADE 15
32		L115 LPN II	3	
33		M039 HOUSEPARENT SUPERVISOR	3	
34		M048 RECREATIONAL ACTIVITY LEADER II	4	
35		A108 ACCOUNTING TECHNICIAN II	1	

1	(11) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
2	(12) E027 INSTITUTIONAL TEACHER ASSISTANT	8	GRADE 13
3	M037 HOUSEPARENT	30	
4	G021 BOILER OPERATOR	1	
5	H049 SUPERVISOR OF COOKING	1	
6	K153 SECRETARY II	6	
7	E017 INSTITUTION ASSISTANT LIBRARIAN	1	
8	(13) A106 ACCOUNTING TECHNICIAN I	2	GRADE 12
9	(14) H047 MEAT CUTTER II/BUTCHER II	1	GRADE 11
10	K155 SECRETARY I	3	
11	(15) G165 WORK MAINTENANCE LEADER	3	GRADE 10
12	H027 COOK II	4	
13	G006 MOTOR VEHICLE OPERATOR	1	
14	(16) H003 BAKER I	3	GRADE 08
15	H025 COOK I	13	
16	G109 BLDG/EQUIP MAINT REPAIRMAN II	2	
17	G010 LAUNDRY SUPV.	1	
18	(17) G107 BLDG/EQUIP MAINT REPAIRMAN	1	GRADE 06
19	(18) G008 LAUNDRY WORKER	1	GRADE 04
20	G173 MAINTENANCE WORKER I	<u>9</u>	
21	MAX NO. OF EMPLOYEES	198	

22

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

24 Department of Education - School for the Deaf for the 1995-97 biennium, the

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

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

27 thirty-five (35) temporary or part-time employees, when needed, at rates of

28 pay not to exceed those provided in the Uniform Classification and

29 Compensation Act, or its successor, or this act for the appropriate

30 classification.

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

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

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

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

1 ending June 30, 1997, the following:

3 ITEM	FISCAL YEARS	
4 NO.	1995-96	1996-97
5 (01) REGULAR SALARIES	\$ 4,219,032	\$ 4,221,017
6 (02) EXTRA HELP	41,029	41,029
7 (03) PERSONAL SERV MATCHING	1,268,743	1,269,186
8 (04) OVERTIME	12,500	12,500
9 (05) MAINT. & GEN. OPERATION		
10 (A) OPER. EXPENSE	\$ 1,070,929	\$ 1,099,429
11 (B) CONF. & TRVL.	20,000	20,000
12 (C) PROF. FEES	40,000	40,000
13 (D) CAP. OUTLAY	45,000	45,000
14 (E) DATA PROC.	<u>0</u>	<u>0</u>
15 TOTAL MAINT. & GEN. OPER.	1,175,929	1,204,429
16 (06) DEFERRED MAINTENANCE	<u>125,000</u>	<u>125,000</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$ 6,842,233</u>	<u>\$ 6,873,161</u>

18
19 SECTION 4. APPROPRIATIONS - FEDERAL VOCATIONAL EDUCATION. There is
20 hereby appropriated, to the Department of Education - School for the Deaf, to
21 be payable from the federal funds as designated by the Chief Fiscal Officer of
22 the State, for operating expenses of the Department of Education - School for
23 the Deaf - Federal Vocational Education for the biennial period ending June
24 30, 1997, the following:

26 ITEM	FISCAL YEARS	
27 NO.	1995-96	1996-97
28 (01) MAINT. & GEN. OPERATION		
29 (A) OPER. EXPENSE	\$ 0	\$ 0
30 (B) CONF. & TRVL.	0	0
31 (C) PROF. FEES	0	0
32 (D) CAP. OUTLAY	10,000	0
33 (E) DATA PROC.	<u>0</u>	<u>0</u>
34 TOTAL MAINT. & GEN. OPER.	<u>\$ 10,000</u>	<u>0</u>
35 TOTAL AMOUNT APPROPRIATED	<u>\$ 10,000</u>	<u>\$ 0</u>

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2 SECTION 5. APPROPRIATIONS - AREA SERVICES FOR LOW INCIDENCE HANDICAPPED.

3 There is hereby appropriated, to the Department of Education - School for the
4 Deaf, to be payable from the federal funds as designated by the Chief Fiscal
5 Officer of the State, for personal services and operating expenses of the
6 Department of Education - School for the Deaf - Area Services for Low
7 Incidence Handicapped for the biennial period ending June 30, 1997, the
8 following:

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10 ITEM	FISCAL YEARS	
11 NO.	1995-96	1996-97
12 (01) REGULAR SALARIES	\$ 436,595	\$ 436,595
13 (02) PERSONAL SERV MATCHING	123,205	123,205
14 (03) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE \$	110,818	\$ 110,818
16 (B) CONF. & TRVL.	18,240	18,240
17 (C) PROF. FEES	6,000	6,000
18 (D) CAP. OUTLAY	12,000	12,000
19 (E) DATA PROC.	<u>0</u>	<u>0</u>
20 TOTAL MAINT. & GEN. OPER.	<u>147,058</u>	<u>147,058</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$ 706,858</u>	<u>\$ 706,858</u>

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23 SECTION 6. APPROPRIATIONS - MEDICAID PROVIDER PROGRAM. There is hereby
24 appropriated, to the Department of Education - School for the Deaf, to be
25 payable from the federal funds as designated by the Chief Fiscal Officer of
26 the State, for operating expenses of the Department of Education - School for
27 the Deaf - Medicaid Provider Program for the biennial period ending June 30,
28 1997, the following:

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30 ITEM	FISCAL YEARS	
31 NO.	1995-96	1996-97
32 (01) MAINT. & GEN. OPERATION		
33 (A) OPER. EXPENSE \$	30,000	\$ 30,000
34 (B) CONF. & TRVL.	10,000	10,000
35 (C) PROF. FEES	8,000	8,000

1	(D) CAP. OUTLAY	37,000	37,000	
2	(E) DATA PROC.	<u>0</u>	<u>0</u>	
3	TOTAL MAINT. & GEN. OPER.		<u>85,000</u>	<u>85,000</u>
4	TOTAL AMOUNT APPROPRIATED		<u>\$ 85,000</u>	<u>\$ 85,000</u>

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6 SECTION 7. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby

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

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

9 ~~the State, for personal services and operating expenses of the Department of~~

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

11 ending June 30, 1997, the following:

13	ITEM	FISCAL YEARS	
14	NO.	1995-96	1996-97
15	(01) REGULAR SALARIES	\$ 66,460	\$ 66,460
16	(02) PERSONAL SERV MATCHING	18,572	18,572
17	(03) MAINT. & GEN. OPERATION		
18	(A) OPER. EXPENSE	\$ 23,703	\$ 23,703
19	(B) CONF. & TRVL.	4,611	4,611
20	(C) PROF. FEES	0	0
21	(D) CAP. OUTLAY	7,000	7,000
22	(E) DATA PROC.	<u>0</u>	<u>0</u>
23	TOTAL MAINT. & GEN. OPER.	<u>35,314</u>	<u>35,314</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 120,346</u>	<u>\$ 120,346</u>

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26 SECTION 8. APPROPRIATIONS - DEAF/BLIND. There is hereby appropriated,

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

28 federal funds as designated by the Chief Fiscal Officer of the State, for

29 ~~personal services and operating expenses of the Department of Education~~

30 School for the Deaf - Deaf/Blind for the biennial period ending June 30, 1997,

31 the following:

33	ITEM	FISCAL YEARS	
34	NO.	1995-96	1996-97
35	(01) REGULAR SALARIES	\$ 93,561	\$ 94,291

1	(02) PERSONAL SERV MATCHING		31,562		31,712
2	(03) MAINT. & GEN. OPERATION				
3	(A) OPER. EXPENSE \$	20,000	\$	20,000	
4	(B) CONF. & TRVL.	7,500		7,500	
5	(C) PROF. FEES	4,000		4,000	
6	(D) CAP. OUTLAY	10,000		10,000	
7	(E) DATA PROC.	<u>0</u>		<u>0</u>	
8	TOTAL MAINT. & GEN. OPER.			<u>41,500</u>	<u>41,500</u>
9	TOTAL AMOUNT APPROPRIATED			<u>\$ 166,623</u>	<u>\$ 167,503</u>

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11 SECTION 9. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 12 ~~Department of Education - School for the Deaf, to be payable from cash funds~~
 13 as defined by Arkansas Code 19-4-801 of the Department of Education - School
 14 for the Deaf, for operating expenses of the Department of Education - School
 15 for the Deaf for the biennial period ending June 30, 1997, the following:

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17	ITEM	FISCAL YEARS			
18	NO.	1995-96		1996-97	
19	(01) MAINT. & GEN. OPERATION				
20	(A) OPER. EXPENSE \$	127,136	\$	127,136	
21	(B) CONF. & TRVL.	5,000		5,000	
22	(C) PROF. FEES	8,000		8,000	
23	(D) CAP. OUTLAY	30,000		30,000	
24	(E) DATA PROC.	<u>0</u>		<u>0</u>	
25	TOTAL MAINT. & GEN. OPER.			<u>\$ 170,136</u>	<u>\$ 170,136</u>
26	TOTAL AMOUNT APPROPRIATED			<u>\$ 170,136</u>	<u>\$</u>
27	<u>170,136</u>				

28

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

35 Payment of additional compensation shall be limited to employees in the

1 following classifications:

2	<u>SUMMER SCHOOL POSITIONS</u>	<u>GRADE</u>
3	Teacher for the Sens Imp I	17
4	Teacher for the Sens Imp II	18
5	Teacher for the Sens Imp III	19
6	Teacher for the Sens Imp IV	20
7	Speech Pathologist II	20
8	Vocational Instructor II	18
9	Vocational Instructor III	19
10	Vocational Instructor IV	20
11	Teacher for Sen Imp Super	22

12

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

19

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

23

24 SECTION 13. SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and
25 Blind may make special allowances available to any employee who performs one
26 of the following duties in addition to their normal duties:

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

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

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34 SECTION 14. No employee drawing a salary or other form of compensation
35 from the Arkansas Schools for the Deaf or Blind shall be paid an additional

1 salary or receive additional compensation, other than reimbursement for actual
2 expenses, from that agency, nor from any other agency or institution of higher
3 education, except from the Superintendent's written certification to and
4 approval by the Chief Fiscal Officer of the state that the work performed by
5 the employee for the other position does not interfere with the proper and
6 required performance of the employee's primary duties, and that the combined
7 salary payments from both positions will not exceed the maximum annual salary
8 for whichever of the two positions has the higher authorized maximum annual
9 salary.

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

16

17 SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
18 authorized by this Act shall be limited to the appropriation for such agency
19 and funds made available by law for the support of such appropriations; and
20 the restrictions of the State Purchasing Law, the General Accounting and
21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
22 Procedures and Restrictions Act, or their successors, and other fiscal control
23 laws of this State, where applicable, and regulations promulgated by the
24 Department of Finance and Administration, as authorized by law, shall be
25 strictly complied with in disbursement of said funds.

26

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

35

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

4
5 SECTION 18. SEVERABILITY. If any provision of this Act or the
6 application thereof to any person or circumstance is held invalid, such
7 invalidity shall not affect other provisions or applications of the Act which
8 can be given effect without the invalid provision or application, and to this
9 end the provisions of this Act are declared to be severable.

10

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

13

14 SECTION 20. EMERGENCY CLAUSE. It is hereby found and determined by the
15 Eightieth General Assembly, that the Constitution of the State of Arkansas
16 prohibits the appropriation of funds for more than a two (2) year period; that
17 the effectiveness of this Act on July 1, 1995 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the Regular Session, the delay in the effective
20 date of this Act beyond July 1, 1995 could work irreparable harm upon the
21 proper administration and provision of essential governmental programs.
22 Therefore, an emergency is hereby declared to exist and this Act being
23 necessary for the immediate preservation of the public peace, health and
24 safety shall be in full force and effect from and after July 1, 1995.

25

/s/Rep. E. Thicksten

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APPROVED: 4-6-95

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