

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: H3/27/97

# A Bill

ACT 1086 OF 1997  
HOUSE BILL 1443

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION -  
11 SCHOOL FOR THE DEAF FOR THE BIENNIAL PERIOD ENDING JUNE  
12 30, 1999; AND FOR OTHER PURPOSES."  
13

## Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION  
15 - SCHOOL FOR THE DEAF APPROPRIATION FOR  
16 THE 1997-99 BIENNIUM."  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. REGULAR SALARIES. There is hereby established for the  
22 Department of Education - School for the Deaf for the 1997-99 biennium, the  
23 following maximum number of regular employees whose salaries shall be governed  
24 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
25 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
26 Provided, however, that any position to which a specific maximum annual salary  
27 is set out herein in dollars, shall be exempt from the provisions of said  
28 Uniform Classification and Compensation Act. All persons occupying positions  
29 authorized herein are hereby governed by the provisions of the Regular  
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
31 successor.  
32

| Item           | Class           | No. of           | Maximum Annual             |
|----------------|-----------------|------------------|----------------------------|
|                |                 | Employees        | Salary Rate                |
|                |                 |                  | Fiscal Years               |
| <del>No.</del> | <del>Code</del> | <del>Title</del> | <del>1997-98 1998-99</del> |

|    |      |  |    |           |           |
|----|------|--|----|-----------|-----------|
| 1  | (1)  | 9949 ED SUPT DEAF SCHOOL                 | 1  | \$ 63,187 | \$ 64,956 |
| 2  | (2)  | 297Z GENERAL BUSINESS MANAGER            | 1  | GRADE 24  |           |
| 3  | (3)  | E015 ED SCHOOL PRINCIPAL                 | 2  | GRADE 23  |           |
| 4  |      | M122 EVAL/ADMISSIONS/HLTH SVCS MGR       | 1  |           |           |
| 5  |      | 990Z ED COORD STUDENT ASSESSMENT PROGRAM | 1  |           |           |
| 6  | (4)  | E057 TEACHER F/T SENSORY IMPAIRED SUPV   | 1  | GRADE 22  |           |
| 7  | (5)  | L122 PSYCHOLOGICAL EXAMINER II           | 2  | GRADE 21  |           |
| 8  |      | M090 CAMPUS LIFE COORDINATOR             | 1  |           |           |
| 9  |      | E028 ED PROGRAM ADMINISTRATOR            | 1  |           |           |
| 10 | (6)  | R266 MANAGEMENT PROJECT ANALYST II       | 3  | GRADE 20  |           |
| 11 |      | L008 SENIOR AUDIOLOGIST                  | 3  |           |           |
| 12 |      | L140 SPEECH PATHOLOGIST II               | 4  |           |           |
| 13 |      | M028 COUNSELOR II                        | 1  |           |           |
| 14 |      | E077 TEACHER F/T SENSORY IMPAIRED IV     | 5  |           |           |
| 15 |      | D121 USER SUPPORT ANALYST                | 1  |           |           |
| 16 |      | E078 VOCATIONAL INSTRUCTOR IV            | 6  |           |           |
| 17 | (7)  | G026 BUILDING AND GROUNDS COORDINATOR    | 1  | GRADE 19  |           |
| 18 |      | E063 TEACHER F/T SENSORY IMPAIRED III    | 44 |           |           |
| 19 |      | L028 DIETICIAN                           | 1  |           |           |
| 20 |      | M086 SOCIAL WORKER I                     | 1  |           |           |
| 21 |      | E014 DIRECTOR OF MULTI-MEDIA SERVICES    | 1  |           |           |
| 22 |      | E039 LIBRARIAN III                       | 1  |           |           |
| 23 | (8)  | G028 BUILDING PLANT MAINTENANCE SUPV II  | 1  | GRADE 18  |           |
| 24 |      | A111 ACCOUNTANT                          | 1  |           |           |
| 25 |      | L138 SPEECH PATHOLOGIST I                | 1  |           |           |
| 26 | (9)  | Y061 JOURNEYMAN PLUMBER                  | 1  | GRADE 17  |           |
| 27 |      | G161 GENERAL MAINTENANCE REPAIRMAN       | 2  |           |           |
| 28 |      | Y039 HEATING & A/C MECHANIC              | 1  |           |           |
| 29 |      | Y057 JOURNEYMAN PAINTER                  | 1  |           |           |
| 30 |      | Y053 JOURNEYMAN CARPENTER                | 1  |           |           |
| 31 |      | R190 PERSONNEL OFFICER II                | 1  |           |           |
| 32 | (10) | A108 ACCOUNTING TECHNICIAN II            | 1  | GRADE 15  |           |
| 33 |      | V011 CENTRAL SUPPLY SUPV                 | 1  |           |           |
| 34 |      | L115 LPN II/LPTN II                      | 3  |           |           |
| 35 |      | M039 HOUSEPARENT SUPERVISOR              | 3  |           |           |

|    |  |          |          |
|----|--|----------|----------|
| 1  | M048 RECREATIONAL ACTIVITY LEADER II         | 4        |          |
| 2  | (11) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY | 1        | GRADE 14 |
| 3  | (12) E027 INSTITUTIONAL TEACHER ASSISTANT    | 9        | GRADE 13 |
| 4  | M037 HOUSEPARENT                             | 30       |          |
| 5  | G021 BOILER OPERATOR                         | 1        |          |
| 6  | K153 SECRETARY II                            | 7        |          |
| 7  | E017 INSTITUTION ASSISTANT LIBRARIAN         | 1        |          |
| 8  | (13) A106 ACCOUNTING TECHNICIAN I            | 2        | GRADE 12 |
| 9  | (14) V043 SHIPPING & RECEIVING CLERK         | 1        | GRADE 11 |
| 10 | K155 SECRETARY I                             | 3        |          |
| 11 | (15) G165 WORK MAINTENANCE LEADER            | 2        | GRADE 10 |
| 12 | G006 MOTOR VEHICLE OPERATOR                  | 1        |          |
| 13 | V029 INVENTORY CONTROL CLERK                 | 1        |          |
| 14 | H027 COOK II                                 | 4        |          |
| 15 | (16) G010 LAUNDRY SUPERVISOR                 | 1        | GRADE 08 |
| 16 | G109 BLDG/EQUIP MAINT REPAIRMAN II           | 2        |          |
| 17 | H025 COOK I                                  | 16       |          |
| 18 | (17) G107 BLDG/EQUIP MAINT REPAIRMAN I       | 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 1997-99 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.

31

32 SECTION 3. APPROPRIATIONS - STATE OPERATIONS. There is hereby

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

34 payable from the School for the Deaf Fund Account, for personal services and

35 operating expenses of the Department of Education - School for the Deaf for

1 the biennial period ending June 30, 1999, the following:

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| 3 ITEM                         | FISCAL YEARS        |                     |
|--------------------------------|---------------------|---------------------|
| 4 NO.                          | 1997-98             | 1998-99             |
| 5 (01) REGULAR SALARIES        | \$ 4,634,137        | \$ 4,760,344        |
| 6 (02) EXTRA HELP              | 41,029              | 41,029              |
| 7 (03) PERSONAL SERV MATCHING  | 1,464,529           | 1,489,587           |
| 8 (04) OVERTIME                | 12,500              | 12,500              |
| 9 (05) MAINT. & GEN. OPERATION |                     |                     |
| 10 (A) OPER. EXPENSE           | 1,185,197           | 1,194,305           |
| 11 (B) CONF. & TRVL.           | 20,000              | 20,000              |
| 12 (C) PROF. FEES              | 75,000              | 75,000              |
| 13 (D) CAP. OUTLAY             | 100,000             | 100,000             |
| 14 (E) DATA PROC.              | 0                   | 0                   |
| 15 (06) DEFERRED MAINTENANCE   | <u>300,000</u>      | <u>300,000</u>      |
| 16 TOTAL AMOUNT APPROPRIATED   | <u>\$ 7,832,392</u> | <u>\$ 7,992,765</u> |

17

18 SECTION 4. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby

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

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

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

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

23 ending June 30, 1999, the following:

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| 25 ITEM                         | FISCAL YEARS     |                   |
|---------------------------------|------------------|-------------------|
| 26 NO.                          | 1997-98          | 1998-99           |
| 27 (01) REGULAR SALARIES        | \$ 48,864        | \$ 50,177         |
| 28 (02) PERSONAL SERV MATCHING  | 15,723           | 15,985            |
| 29 (03) MAINT. & GEN. OPERATION |                  |                   |
| 30 (A) OPER. EXPENSE            | 23,703           | 23,703            |
| 31 (B) CONF. & TRVL.            | 4,611            | 4,611             |
| 32 (C) PROF. FEES               | 0                | 0                 |
| 33 (D) CAP. OUTLAY              | 7,000            | 7,000             |
| 34 (E) DATA PROC.               | <u>0</u>         | <u>0</u>          |
| 35 TOTAL AMOUNT APPROPRIATED    | <u>\$ 99,901</u> | <u>\$ 101,476</u> |

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SECTION 5. APPROPRIATIONS - AREA SERVICES FOR LOW INCIDENCE HANDICAPPED.  
 There is hereby appropriated, to the Department of Education - School for the Deaf, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Education - School for the Deaf - Area Services for Low Incidence Handicapped for the biennial period ending June 30, 1999, the following:

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| ITEM                         | FISCAL YEARS      |                   |
|------------------------------|-------------------|-------------------|
| NO.                          | 1997-98           | 1998-99           |
| (01) REGULAR SALARIES        | \$ 463,225        | \$ 475,829        |
| (02) PERSONAL SERV MATCHING  | 128,096           | 130,601           |
| (03) MAINT. & GEN. OPERATION |                   |                   |
| (A) OPER. EXPENSE            | 110,818           | 110,818           |
| (B) CONF. & TRVL.            | 18,240            | 18,240            |
| (C) PROF. FEES               | 6,000             | 6,000             |
| (D) CAP. OUTLAY              | 12,000            | 12,000            |
| (E) DATA PROC.               | <u>0</u>          | <u>0</u>          |
| TOTAL AMOUNT APPROPRIATED    | <u>\$ 738,379</u> | <u>\$ 753,488</u> |

21

SECTION 6. APPROPRIATIONS - MEDICAID PROVIDER PROGRAM. There is hereby appropriated, to the Department of Education - School for the Deaf, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Department of Education - School for the Deaf - Medicaid Provider Program for the biennial period ending June 30, 1999, the following:

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| ITEM                         | FISCAL YEARS |         |
|------------------------------|--------------|---------|
| NO.                          | 1997-98      | 1998-99 |
| (01) MAINT. & GEN. OPERATION |              |         |
| (A) OPER. EXPENSE            | 30,000       | 30,000  |
| (B) CONF. & TRVL.            | 10,000       | 10,000  |
| (C) PROF. FEES               | 10,000       | 10,000  |
| (D) CAP. OUTLAY              | 38,000       | 38,000  |

35

|   |                           |                  |                  |
|---|---------------------------|------------------|------------------|
| 1 | (E) DATA PROC.            | <u>0</u>         | <u>0</u>         |
| 2 | TOTAL AMOUNT APPROPRIATED | <u>\$ 88,000</u> | <u>\$ 88,000</u> |

3

4 SECTION 7. APPROPRIATIONS - DEAF/BLIND. There is hereby appropriated,

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

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

7 personal services and operating expenses of the Department of Education -

8 ~~School for the Deaf - Deaf/Blind for the biennial period ending June 30, 1999,~~

9 the following:

| 11 | ITEM                         | FISCAL YEARS      |                   |
|----|------------------------------|-------------------|-------------------|
| 12 | NO.                          | 1997-98           | 1998-99           |
| 13 | (01) REGULAR SALARIES        | \$ 86,945         | \$ 89,301         |
| 14 | (02) PERSONAL SERV MATCHING  | 27,804            | 28,270            |
| 15 | (03) MAINT. & GEN. OPERATION |                   |                   |
| 16 | (A) OPER. EXPENSE            | 20,000            | 20,000            |
| 17 | (B) CONF. & TRVL.            | 7,500             | 7,500             |
| 18 | (C) PROF. FEES               | 4,000             | 4,000             |
| 19 | (D) CAP. OUTLAY              | 7,500             | 7,500             |
| 20 | (E) DATA PROC.               | <u>0</u>          | <u>0</u>          |
| 21 | TOTAL AMOUNT APPROPRIATED    | <u>\$ 153,749</u> | <u>\$ 156,571</u> |

22

23 SECTION 8. APPROPRIATIONS - CASH OPERATIONS. There is hereby

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

25 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department

26 of Education - School for the Deaf, for operating expenses and deferred

27 ~~maintenance of the Department of Education - School for the Deaf for the~~

28 biennial period ending June 30, 1999, the following:

| 30 | ITEM                         | FISCAL YEARS |            |
|----|------------------------------|--------------|------------|
| 31 | NO.                          | 1997-98      | 1998-99    |
| 32 | (01) MAINT. & GEN. OPERATION |              |            |
| 33 | (A) OPER. EXPENSE            | \$ 127,136   | \$ 127,136 |
| 34 | (B) CONF. & TRVL.            | 5,000        | 5,000      |
| 35 | (C) PROF. FEES               | 8,000        | 8,000      |

|   |                           |                   |                   |
|---|---------------------------|-------------------|-------------------|
| 1 | (D) CAP. OUTLAY           | 35,000            | 35,000            |
| 2 | (E) DATA PROC.            | 0                 | 0                 |
| 3 | (02) DEFERRED MAINTENANCE | <u>25,000</u>     | <u>25,000</u>     |
| 4 | TOTAL AMOUNT APPROPRIATED | <u>\$ 200,136</u> | <u>\$ 200,136</u> |

5  
6 SECTION 9. SPECIAL LANGUAGE. The Arkansas School for the Deaf shall be  
7 responsible for providing maintenance, transportation, and security for the  
8 Arkansas School for the Blind. The Arkansas School for the Deaf is authorized  
9 to spend general revenue funds to provide for these services.

10

11 SECTION 10. SPECIAL LANGUAGE. SUMMER SCHOOL EMPLOYEES. Employees who,  
12 in addition to working during the regular school term, also work during summer  
13 months shall be authorized as additional compensation an amount not to exceed  
14 1/12 of their annual salary for each month or part thereof worked. Such  
15 additional compensation shall not be construed as exceeding the maximum salary  
16 authorized for said employees.

17 Payment of additional compensation shall be limited to employees in the  
18 following classifications:

| 19 | <u>SUMMER SCHOOL POSITIONS</u>      | <u>GRADE</u> |
|----|-------------------------------------|--------------|
| 20 | <u>Teacher for the Sens Imp I</u>   | <u>17</u>    |
| 21 | <u>Teacher for the Sens Imp II</u>  | <u>18</u>    |
| 22 | <u>Teacher for the Sens Imp III</u> | <u>19</u>    |
| 23 | <u>Teacher for the Sens Imp IV</u>  | <u>20</u>    |
| 24 | <u>Speech Pathologist II</u>        | <u>20</u>    |
| 25 | <u>Vocational Instructor II</u>     | <u>18</u>    |
| 26 | <u>Vocational Instructor III</u>    | <u>19</u>    |
| 27 | <u>Vocational Instructor IV</u>     | <u>20</u>    |
| 28 | <u>Teacher for Sen Imp Super</u>    | <u>22</u>    |

29

30 SECTION 11. SPECIAL LANGUAGE. SPECIAL ALLOWANCE. The Arkansas Schools  
31 for the Deaf and Blind may make special allowances available to any employee  
32 who performs one of the following duties in addition to their normal duties:

- 33 1) Teaching adult education classes on weekends or evenings
- 34 2) Coaching one or more sports
- 35 3) Sponsoring a club or organization that involves additional hours

1 outside of the normal working day.

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

4  
5 SECTION 12. SPECIAL LANGUAGE. No employee drawing a salary or other  
6 form of compensation from the Arkansas Schools for the Deaf or Blind shall be  
7 paid an additional salary or receive additional compensation, other than  
8 reimbursement for actual expenses, from that agency, nor from any other agency  
9 or institution of higher education, except from the Superintendent's written  
10 certification to and approval by the Chief Fiscal Officer of the State that  
11 the work performed by the employee for the other position does not interfere  
12 with the proper and required performance of the employee's primary duties, and  
13 that the combined salary payments from both positions will not exceed the  
14 maximum annual salary for whichever of the two positions has the higher  
15 authorized maximum annual salary.

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

22  
23 SECTION 13. SPECIAL LANGUAGE. SHIFT DIFFERENTIAL. For Arkansas School  
24 for the Deaf, shift work must begin not earlier than 2:00 p.m. and end no  
25 later than 8:00 a.m. the following day.

26  
27 SECTION 14. SPECIAL LANGUAGE. Upon the superintendent's certification  
28 to the State Personnel Administrator of prior service at an educational  
29 institution and most recent contractual salary, the salary of teachers holding  
30 certification in teaching the hearing impaired and entering state service as  
31 teachers for the sensory impaired may be adjusted to a rate of pay closest to  
32 but not less than their most recent annual salary.

33  
34 SECTION 15. Arkansas Code Annotated §6-43-305(a) is hereby amended to  
35 read as follows:

1           "(a) The Arkansas School for the Deaf is hereby authorized to pay  
2 employees hired in the position of teacher for the sensory impaired or senior  
3 audiologist for the yearly school term the maximum annual salary rate  
4 established for each position."  
5

6           SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
7 authorized by this Act shall be limited to the appropriation for such agency  
8 and funds made available by law for the support of such appropriations; and  
9 the restrictions of the State Purchasing Law, the General Accounting and  
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
11 Procedures and Restrictions Act, or their successors, and other fiscal control  
12 laws of this State, where applicable, and regulations promulgated by the  
13 Department of Finance and Administration, as authorized by law, shall be  
14 strictly complied with in disbursement of said funds.  
15

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

25           SECTION 18. CODE. All provisions of this Act of a general and  
26 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the  
27 Arkansas Code Revision Commission shall incorporate the same in the Code.  
28

29           SECTION 19. SEVERABILITY. If any provision of this Act or the  
30 application thereof to any person or circumstance is held invalid, such  
31 invalidity shall not affect other provisions or applications of the Act which  
32 can be given effect without the invalid provision or application, and to this  
33 end the provisions of this Act are declared to be severable.  
34

35           SECTION 20. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

2

3           SECTION 21. EMERGENCY CLAUSE. It is hereby found and determined by the  
4 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
5 prohibits the appropriation of funds for more than a two (2) year period; that  
6 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
7 the agency for which the appropriations in this Act are provided, and that in  
8 the event of an extension of the Regular Session, the delay in the effective  
9 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
10 proper administration and provision of essential governmental programs.  
11 Therefore, an emergency is hereby declared to exist and this Act being  
12 necessary for the immediate preservation of the public peace, health and  
13 safety shall be in full force and effect from and after July 1, 1997.

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/s/JBC

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APPROVED:4-03-97

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