

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/11/03

A Bill

Act 638 of 2003
HOUSE BILL 1135

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE
12 DEAF FOR THE BIENNIAL PERIOD ENDING JUNE 30,
13 2005; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF EDUCATION
17 - ARKANSAS SCHOOL FOR THE DEAF
18 APPROPRIATION FOR THE 2003-2005
19 BIENNIUM.
20
21

22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Education - Arkansas School for the Deaf for the 2003-2005
27 biennium, the following maximum number of regular employees whose salaries
28 shall be governed by the provisions of the Uniform Classification and
29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
30 all laws amendatory thereto. Provided, however, that any position to which a
31 specific maximum annual salary is set out herein in dollars, shall be exempt
32 from the provisions of said Uniform Classification and Compensation Act. All
33 persons occupying positions authorized herein are hereby governed by the
34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
35 Code §21-5-101), or its successor.
36



					Maximum Annual	
				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2003-2004	2004-2005
5	(1)	9949	ED SUPT DEAF SCHOOL	1	\$75,750	\$77,590
6	(2)	026Z	ASD/ASB BUSINESS MANAGER	1	GRADE	26
7	(3)	E020	CURRICULUM DIRECTOR	1	GRADE	24
8	(4)	990Z	ED COORD STUDENT ASSESSMENT PROGRAM	1	GRADE	23
9	(5)	E015	ED SCHOOL PRINCIPAL	2	GRADE	23
10	(6)	M122	EVAL/ADMISSIONS/HLTH SVCS MGR	1	GRADE	23
11	(7)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE	22
12	(8)	E057	TEACHER F/T SENSORY IMPAIRED SUPV	1	GRADE	22
13	(9)	R094	ASB/ASD PERSONNEL MANAGER	1	GRADE	22
14	(10)	E028	ED PROGRAM ADMINISTRATOR	1	GRADE	21
15	(11)	L030	DIETARY SERVICES DIRECTOR	1	GRADE	21
16	(12)	L122	PSYCHOLOGICAL EXAMINER II	2	GRADE	21
17	(13)	D121	USER SUPPORT ANALYST	1	GRADE	20
18	(14)	E077	TEACHER F/T SENSORY IMPAIRED IV	13	GRADE	20
19	(15)	E078	VOCATIONAL INSTRUCTOR IV	6	GRADE	20
20	(16)	L008	SR AUDIOLOGIST	3	GRADE	20
21	(17)	L140	SPEECH PATHOLOGIST II	5	GRADE	20
22	(18)	M028	COUNSELOR II	2	GRADE	20
23	(19)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE	20
24	(20)	E014	DIRECTOR MULTI-MEDIA SERVICES	1	GRADE	19
25	(21)	E039	LIBRARIAN III	1	GRADE	19
26	(22)	E063	TEACHER F/T SENSORY IMPAIRED III	36	GRADE	19
27	(23)	G026	BLDG AND GROUNDS COORDINATOR	1	GRADE	19
28	(24)	R030	ASST PERSONNEL MANAGER	1	GRADE	19
29	(25)	A111	ACCOUNTANT	1	GRADE	18
30	(26)	G161	GENERAL MAINTENANCE REPAIRMAN	4	GRADE	17
31	(27)	M039	HOUSEPARENT SUPERVISOR	3	GRADE	17
32	(28)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE	17
33	(29)	R190	PERSONNEL OFFICER II	1	GRADE	17
34	(30)	Y039	HEATING & A/C MECHANIC	1	GRADE	17
35	(31)	Y053	JOURNEYMAN CARPENTER	1	GRADE	17
36	(32)	Y057	JOURNEYMAN PAINTER	1	GRADE	17

1	(33)	Y061	JOURNEYMAN PLUMBER	1	GRADE 17
2	(34)	A108	ACCOUNTING TECHNICIAN II	3	GRADE 15
3	(35)	L115	LPN II/LPTN II	3	GRADE 15
4	(36)	M034	HOUSEPARENT II	30	GRADE 15
5	(37)	M048	RECREATIONAL ACTIVITY LEADER II	4	GRADE 15
6	(38)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15
7	(39)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
8	(40)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
9	(41)	E027	INSTITUTIONAL TEACHER ASSISTANT	8	GRADE 13
10	(42)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
11	(43)	K153	SECRETARY II	10	GRADE 13
12	(44)	R125	PERSONNEL OFFICER	1	GRADE 13
13	(45)	K155	SECRETARY I	1	GRADE 11
14	(46)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
15	(47)	Y001	APPRENTICE TRADESMAN	2	GRADE 11
16	(48)	G006	MOTOR VEHICLE OPERATOR	1	GRADE 10
17	(49)	G165	WORK MAINTENANCE LEADER	2	GRADE 10
18	(50)	H027	COOK II	19	GRADE 10
19	(51)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
20	(52)	G010	LAUNDRY SUPERVISOR	1	GRADE 08
21	(53)	G109	BLDG/EQUIP MAINT REPAIRMAN II	2	GRADE 08
22	(54)	G175	MAINTENANCE WORKER II	8	GRADE 05
23	(55)	G008	LAUNDRY WORKER	<u>1</u>	GRADE 04
24			MAX. NO. OF EMPLOYEES	202	

25

26 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 27 Education - Arkansas School for the Deaf for the 2003-2005 biennium, the
 28 following maximum number of part-time or temporary employees, to be known as
 29 "Extra Help", payable from funds appropriated herein for such purposes:
 30 forty five (45) temporary or part-time employees, when needed, at rates of
 31 pay not to exceed those provided in the Uniform Classification and
 32 Compensation Act, or its successor, or this act for the appropriate
 33 classification.

34

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

1 from the School for the Deaf Fund Account, for personal services and
 2 operating expenses of the Department of Education - Arkansas School for the
 3 Deaf - State Operations for the biennial period ending June 30, 2005, the
 4 following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 5,129,950	\$ 5,268,459
(02) EXTRA HELP	50,000	50,000
(03) PERSONAL SERV MATCH	1,629,596	1,656,979
(04) OVERTIME	25,000	25,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,451,305	1,451,305
(B) CONF. & TRAVEL	25,000	25,000
(C) PROF. FEES	100,000	100,000
(D) CAP. OUTLAY	65,000	65,000
(E) DATA PROC.	0	0
(06) SPECIAL MAINTENANCE	400,000	400,000
(07) VOCATIONAL WORKSTUDY	7,500	7,500
(08) SCPI TEST LEVEL PAYMENTS	<u>25,000</u>	<u>25,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 8,908,351</u>	<u>\$ 9,074,243</u>

23 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 24 appropriated, to the Department of Education - Arkansas School for the Deaf,
 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 Deaf - Federal Operations
 28 for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 707,670	\$ 726,777
(02) EXTRA HELP	40,000	40,000
(03) PERSONAL SERV MATCH	210,214	213,992
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	240,909	240,909

1	(B) CONF. & TRAVEL	62,111	62,111
2	(C) PROF. FEES	286,200	286,200
3	(D) CAP. OUTLAY	129,500	129,500
4	(E) DATA PROC.	<u>0</u>	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,676,604</u>	<u>\$ 1,699,489</u>

6
 7 SECTION 5. APPROPRIATIONS - CASH OPERATIONS. There is hereby
 8 appropriated, to the Department of Education - Arkansas School for the Deaf,
 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 Deaf, for operating
 11 expenses of the Department of Education - Arkansas School for the Deaf - Cash
 12 Operations for the biennial period ending June 30, 2005, the following:
 13

14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
16	(01) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	\$ 147,136	\$ 147,136
18	(B) CONF. & TRAVEL	25,000	25,000
19	(C) PROF. FEES	28,000	28,000
20	(D) CAP. OUTLAY	75,000	75,000
21	(E) DATA PROC.	0	0
22	(02) SPECIAL MAINTENANCE	<u>145,000</u>	<u>145,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 420,136</u>	<u>\$ 420,136</u>

24
 25 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER
 27 SCHOOL EMPLOYEES. Employees who, in addition to working during the regular
 28 school term, also work during summer months shall be authorized as additional
 29 compensation an amount not to exceed 1/12 of their annual salary for each
 30 month or part thereof worked. Such additional compensation shall not be
 31 construed as exceeding the maximum salary authorized for said employees.

32 Payment of additional compensation shall be limited to employees in the
 33 following classifications:

34	SUMMER SCHOOL POSITIONS	GRADE
35	Teacher for the Sens Imp I	17
36	Teacher for the Sens Imp II	18

1	Teacher for the Sens Imp III	19
2	Teacher for the Sens Imp IV	20
3	Speech Pathologist II	20
4	Vocational Instructor II	18
5	Vocational Instructor III	19
6	Vocational Instructor IV	20
7	Teacher for Sens Imp Super	22

8 The provisions of this section shall be in effect only from ~~July 1, 2001~~
9 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

10

11 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
13 ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special
14 allowances available to any employee who performs one of the following duties
15 in addition to their normal duties:

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

21 Compensation for additional duties may not exceed \$3,000 per school term
22 for any one employee during each fiscal year. Such additional compensation
23 shall not be construed as exceeding the maximum salary authorized for said
24 employee.

25 The provisions of this section shall be in effect only from ~~July 1, 2001~~
26 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

27

28 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
30 ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or
31 other form of compensation from the Arkansas Schools for the Deaf or Blind
32 shall be paid an additional salary or receive additional compensation, other
33 than reimbursement for actual expenses, from that agency, nor from any other
34 agency or institution of higher education, except from the Superintendent's
35 written certification to and approval by the Chief Fiscal Officer of the
36 State that the work performed by the employee for the other position does not

1 interfere with the proper and required performance of the employee's primary
2 duties, and that the combined salary payments from both positions will not
3 exceed the maximum annual salary for whichever of the two positions has the
4 higher authorized maximum annual salary.

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

11 The provisions of this section shall be in effect only from ~~July 1, 2001~~
12 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

13
14 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHIFT
16 DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not
17 earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

18 The provisions of this section shall be in effect only from ~~July 1, 2001~~
19 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

20
21 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHERS
23 FOR SENSORY IMPAIRED ENTERING STATE SERVICE. Upon the superintendent's
24 certification to the State Personnel Administrator of prior service at an
25 educational institution and most recent contractual salary, the salary of
26 teachers holding certification in teaching the hearing impaired and entering
27 state service as teachers for the sensory impaired may be adjusted to a rate
28 of pay closest to but not less than their most recent annual salary.

29 The provisions of this section shall be in effect only from ~~July 1, 2001~~
30 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

31
32 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
33 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SIGN LANGUAGE
34 PROFICIENCY INTERVIEW. The Arkansas School for the Deaf is hereby
35 authorized, after prior review by the Arkansas Legislative Council upon
36 certification by the superintendent of the Arkansas School for the Deaf to

1 the Office of Personnel Management and approval of the Chief Fiscal Officer
2 of the State to grant a 2.5 percent (2.5%) salary bonus payment to employees
3 meeting the required level of Sign Language Communication Proficiency
4 Interview (SCPI) for the employee's current position. The bonus may be
5 awarded upon submission of documented proof of such certification provided
6 the employee's most recent performance evaluation results in a satisfactory
7 or better rating and provided that the employee has taken a minimum of one
8 course in sign language or in linguistics of sign language after the
9 employee's hire date. New and probationary employees shall be eligible for
10 bonus payments after their probationary period expires provided that the
11 above requirements are met. Employees are eligible for only one SCPI bonus
12 payment as authorized by this subsection over the course of employment.
13

14 The provisions of this section shall be in effect only from ~~July 1, 2001~~
15 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

16
17 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
19 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
20 Arkansas School for the Deaf shall transfer appropriation from the Summer
21 Projects line item in this Act, to Item No. (01) through Item No. (5) in
22 Section 3 of this Act, to compensate Teachers, Houseparents, Food Service,
23 Nursing Staff who work during the summer months on summer projects, and to
24 cover other expenses of summer project activities and to compensate coaches
25 and organization sponsors as referenced in Section 7 of this Act.

26 The provisions of this section shall be in effect only from ~~July 1, 2001~~
27 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

28
29 SECTION 13. SPECIAL LANGUAGE. MAINTENANCE/TRANSPORTATION/SECURITY. The
30 Arkansas School for the Deaf shall be responsible for providing maintenance,
31 transportation, and security for the Arkansas School for the Blind. The
32 Arkansas School for the Deaf is authorized to spend general revenue funds to
33 provide for these services.

34 The provisions of this section shall be in effect only from ~~July 1, 2001~~
35 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

36

1 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
3 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are
4 authorized to establish a joint paying account in the State Treasury, upon
5 direction of the Board of Trustees for the Arkansas School for the Blind and
6 the Arkansas School for the Deaf. The Board may transfer positions, funds
7 and appropriations to the paying account from either school to serve both
8 schools in the areas of Accounting, Personnel, Inventory, Safety and Health
9 Services.

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

17 The provisions of this section shall be in effect only from ~~July 1, 2001~~
18 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

19
20 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER
22 SALARY INCREASE. In the event that an act is enacted in which the public
23 schools receive funds from the General Assembly to raise the salaries of
24 teachers employed in the public school districts, the Arkansas School for the
25 Deaf and the Arkansas School for the Blind shall be included.

26
27 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
28 by this act shall be limited to the appropriation for such agency and funds
29 made available by law for the support of such appropriations; and the
30 restrictions of the State Purchasing Law, the General Accounting and
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
32 Procedures and Restrictions Act, or their successors, and other fiscal
33 control laws of this State, where applicable, and regulations promulgated by
34 the Department of Finance and Administration, as authorized by law, shall be
35 strictly complied with in disbursement of said funds.

36

1 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General Assembly
 2 that any funds disbursed under the authority of the appropriations contained
 3 in this act shall be in compliance with the stated reasons for which this act
 4 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 5 and Legislative Recommendations contained in the budget manuals prepared by
 6 the Department of Finance and Administration, letters, or summarized oral
 7 testimony in the official minutes of the Arkansas Legislative Council or
 8 Joint Budget Committee which relate to its passage and adoption.

9
 10 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General
 11 Assembly, that the Constitution of the State of Arkansas prohibits the
 12 appropriation of funds for more than a two (2) year period; that the
 13 effectiveness of this Act on July 1, 2003 is essential to the operation of
 14 the agency for which the appropriations in this Act are provided, and that in
 15 the event of an extension of the Regular Session, the delay in the effective
 16 date of this Act beyond July 1, 2003 could work irreparable harm upon the
 17 proper administration and provision of essential governmental programs.
 18 Therefore, an emergency is hereby declared to exist and this Act being
 19 necessary for the immediate preservation of the public peace, health and
 20 safety shall be in full force and effect from and after July 1, 2003.

21
 22 /s/ Joint Budget Committee

23
 24
 25 APPROVED: 3/24/2003

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