

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 639 of 2003  
HOUSE BILL 1170

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 BLIND 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 BLIND  
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 Blind 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



Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2003-2004	2004-2005
(1)	9948	ED SUPT BLIND SCHOOL	1	\$75,750	\$77,590
(2)	E015	ED SCHOOL PRINCIPAL	2	GRADE	23
(3)	909Z	PROGRAM SUPPORT MANAGER	2	GRADE	22
(4)	A032	AGENCY FISCAL MANAGER	1	GRADE	22
(5)	L030	DIETARY SERVICES DIRECTOR	1	GRADE	21
(6)	L122	PSYCHOLOGICAL EXAMINER II	1	GRADE	21
(7)	E077	TEACHER F/T SENSORY IMPAIRED IV	23	GRADE	20
(8)	L070	NURSE II	1	GRADE	20
(9)	E039	LIBRARIAN III	2	GRADE	19
(10)	E063	TEACHER F/T SENSORY IMPAIRED III	30	GRADE	19
(11)	R030	ASST PERSONNEL MANAGER	1	GRADE	19
(12)	A111	ACCOUNTANT	1	GRADE	18
(13)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE	18
(14)	M039	HOUSEPARENT SUPERVISOR	2	GRADE	17
(15)	R190	PERSONNEL OFFICER II	1	GRADE	17
(16)	L115	LPN II/LPTN II	2	GRADE	15
(17)	M034	HOUSEPARENT II	17	GRADE	15
(18)	M048	RECREATIONAL ACTIVITY LEADER II	2	GRADE	15
(19)	E027	INSTITUTIONAL TEACHER ASSISTANT	4	GRADE	13
(20)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE	13
(21)	K153	SECRETARY II	3	GRADE	13
(22)	K155	SECRETARY I	1	GRADE	11
(23)	L081	NURSING ASST II	1	GRADE	11
(24)	H005	BAKER II	1	GRADE	10
(25)	H027	COOK II	3	GRADE	10
(26)	H053	FOOD SERVICE WORKER III	1	GRADE	08
(27)	H043	FOOD SERVICE WORKER II	5	GRADE	05
(28)	G035	CUSTODIAL WRKR II	4	GRADE	04
(29)	G075	HOUSEKEEPER	<u>1</u>	GRADE	04
		MAX. NO. OF EMPLOYEES	116		

35

36 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of

1 Education - Arkansas School for the Blind for the 2003-2005 biennium, the  
 2 following maximum number of part-time or temporary employees, to be known as  
 3 "Extra Help", payable from funds appropriated herein for such purposes:  
 4 seventeen (17) temporary or part-time employees, when needed, at rates of pay  
 5 not to exceed those provided in the Uniform Classification and Compensation  
 6 Act, or its successor, or this act for the appropriate classification.

7  
 8 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,  
 9 to the Department of Education - Arkansas School for the Blind, to be payable  
 10 from the School for the Blind Fund Account, for personal services and  
 11 operating expenses of the Department of Education - Arkansas School for the  
 12 Blind - State Operations for the biennial period ending June 30, 2005, the  
 13 following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
(01) REGULAR SALARIES	\$ 3,003,167	\$ 3,084,254
(02) EXTRA HELP	15,000	15,000
(03) PERSONAL SERV MATCH	935,419	951,571
(04) OVERTIME	20,000	20,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	652,500	652,500
(B) CONF. & TRAVEL	17,015	17,015
(C) PROF. FEES	65,000	65,000
(D) CAP. OUTLAY	50,000	50,000
(E) DATA PROC.	0	0
(06) SPECIAL MAINTENANCE	250,000	250,000
(07) VOCATIONAL WORKSTUDY	10,000	10,000
(08) SUMMER PROJECTS	<u>20,000</u>	<u>20,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,038,101</u>	<u>\$ 5,135,340</u>

31 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby  
 32 appropriated, to the Department of Education - Arkansas School for the Blind,  
 33 to be payable from the federal funds as designated by the Chief Fiscal  
 34 Officer of the State, for personal services and operating expenses of the  
 35 Department of Education - Arkansas School for the Blind - Federal Operations  
 36 for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 636,004	\$ 653,176
(02) EXTRA HELP	15,000	15,000
(03) PERSONAL SERV MATCH	180,520	183,941
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	161,050	161,050
(B) CONF. & TRAVEL	53,382	53,382
(C) PROF. FEES	116,432	116,432
(D) CAP. OUTLAY	100,000	100,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,262,388</u>	<u>\$ 1,282,981</u>

SECTION 5. APPROPRIATIONS - CASH OPERATIONS. There is hereby appropriated, to the Department of Education - Arkansas School for the Blind, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Education - Arkansas School for the Blind, for operating expenses of the Department of Education - Arkansas School for the Blind - Cash Operations for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 186,508	\$ 186,508
(B) CONF. & TRAVEL	13,000	13,000
(C) PROF. FEES	100,000	100,000
(D) CAP. OUTLAY	50,000	50,000
(E) DATA PROC.	0	0
(02) SPECIAL MAINTENANCE	<u>75,000</u>	<u>75,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 424,508</u>	<u>\$ 424,508</u>

SECTION 6. APPROPRIATION - BRAILLE TEXTBOOKS. There is hereby appropriated, to the Department of Education - Arkansas School for the Blind, to be payable from the School for the Blind Fund Account, for the purchase of braille and largeprint textbooks for the blind and visually impaired students

1 attending the public schools in Arkansas of the Department of Education -  
 2 Arkansas School for the Blind - Braille Textbooks for the biennial period  
 3 ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) BRAILLE TEXTBOOKS	\$ 125,000	\$ 125,000
TOTAL AMOUNT APPROPRIATED	\$ 125,000	\$ 125,000

10 SECTION 7. APPROPRIATION - MEDICAID PROVIDER - FEDERAL. There is hereby  
 11 appropriated, to the Department of Education - Arkansas School for the Blind,  
 12 to be payable from the federal funds as designated by the Chief Fiscal  
 13 Officer of the State, for operating expenses of the Department of Education -  
 14 Arkansas School for the Blind - Medicaid Provider Program for the biennial  
 15 period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 20,000	\$ 20,000
(B) CONF. & TRAVEL	5,000	5,000
(C) PROF. FEES	85,000	85,000
(D) CAP. OUTLAY	50,000	50,000
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	\$ 160,000	\$ 160,000

27 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 29 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the  
 30 Arkansas School for the Blind shall transfer appropriation from Item No. (08)  
 31 Summer Projects, in Section 3 of this Act, to Item No. (01) through Item No.  
 32 (05) in Section 3 of this Act, to compensate Teachers, Houseparents, Food  
 33 Service, Nursing staff who work during the summer months on summer projects,  
 34 and to cover other expenses of summer project activities and to compensate  
 35 coaches and organization sponsors as referenced in Section 9 of this Act.  
 36 Such additional compensation shall not be construed as exceeding the maximum

1 salary authorized for said employees.

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

4  
5 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
7 ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special  
8 allowances available to any employee who performs one of the following duties  
9 in addition to their normal duties:

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

15 Compensation for additional duties may not exceed \$3,000 per school term  
16 for any one employee during each fiscal year. Such pay shall not be  
17 construed as exceeding the maximum salary authorized for said position.

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

34 Any employee knowingly violating the provisions of this section shall be  
35 subject to immediate termination and shall be barred from employment by any  
36 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  
3 with interest at a rate of ten percent (10%) per annum.

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

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7 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED  
9 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are  
10 authorized to establish a joint paying account in the State Treasury, upon  
11 direction of the Board of Trustees for the Arkansas School for the Blind and  
12 the Arkansas School for the Deaf. The Board may transfer positions, funds  
13 and appropriations to the paying account from either school to serve both  
14 schools in the areas of Accounting, Personnel, Inventory, Safety and Health  
15 Services.

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

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

25  
26 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BRAILLE  
28 AND LARGEPRINT TEXTBOOKS. The State Board of Education shall make reasonable  
29 rules and regulations to implement the Braille and Large Print Textbooks  
30 appropriation and is hereby authorized to negotiate directly with publishers  
31 of Braille and Large Print Textbooks for the purchase of such textbooks.

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

34  
35 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER

1 SCHOOL EMPLOYEES. Employees who, in addition to working during the regular  
2 school term, also work during summer months shall be authorized as additional  
3 compensation an amount not to exceed 1/12 of their annual salary for each  
4 month or part thereof worked. Such additional compensation shall not be  
5 construed as exceeding the maximum salary authorized for said employees.  
6 Payment of additional compensation shall be limited to employees in the  
7 following classifications:

SUMMER SCHOOL POSITIONS	GRADE
Teacher for the Sens Imp I	16
Teacher for the Sens Imp II	18
Teacher for the Sens Imp III	19
Teacher for the Sens Imp IV	20
Teacher for the Sens Imp Supv	22

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.

17 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHERS  
19 FOR SENSORY IMPAIRED ENTERING STATE SERVICE. Upon the superintendent's  
20 certification to the State Personnel Administrator of prior service at an  
21 educational institution and most recent contractual salary, the salary of  
22 teachers holding certification in teaching the visually impaired and entering  
23 state service as teachers for the sensory impaired may be adjusted to a rate  
24 of pay closest to but not less than their most recent annual salary.

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.

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

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

36 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized



1 by this act shall be limited to the appropriation for such agency and funds  
 2 made available by law for the support of such appropriations; and the  
 3 restrictions of the State Purchasing Law, the General Accounting and  
 4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 5 Procedures and Restrictions Act, or their successors, and other fiscal  
 6 control laws of this State, where applicable, and regulations promulgated by  
 7 the Department of Finance and Administration, as authorized by law, shall be  
 8 strictly complied with in disbursement of said funds.

9  
 10 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 11 that any funds disbursed under the authority of the appropriations contained  
 12 in this act shall be in compliance with the stated reasons for which this act  
 13 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 14 and Legislative Recommendations contained in the budget manuals prepared by  
 15 the Department of Finance and Administration, letters, or summarized oral  
 16 testimony in the official minutes of the Arkansas Legislative Council or  
 17 Joint Budget Committee which relate to its passage and adoption.

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

30  
 31 /s/ Joint Budget Committee

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 34 APPROVED: 3/24/2003

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