

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 2/22/87

HOUSE BILL 1472

By: Joint Budget Committee

AS ENGROSSED 3/3/87

AS ENGROSSED 3/17/87

AS ENGROSSED 4/9/87

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES,
OPERATING EXPENSES AND GRANTS OF THE DEPARTMENT OF HIGHER
EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1989; AND
FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Department of Higher Education for the 1987-89 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1987-88	1988-89
(1)	9960	HIGHER ED DIRECTOR	1	\$69,363	\$69,363
(2)	7243	HIGHER EDUCATION DEPUTY DIRECTOR	1	\$59,143	\$59,143
(3)	9774	HIGHER ED ASSOC DIR FOR FISCAL AFF	1	\$50,816	\$50,816
(4)		DHE ASSOCIATE DIR. FOR ACADEMIC AFFAIRS	1	\$50,816	\$50,816
(5)	9773	HIGHER ED ASSOCIATE DIRECTOR	1	\$50,810	\$50,810
(6)	389Z	HIGHER ED D P COORD	1		GRADE 24
	A252	AUDIT MANAGER I	1		
(7)	392Z	HIGHER ED COORD OF ACADEMIC PROG	1		GRADE 23

(8) R060 HIGHER ED SR FINANCIAL OFFICER	1	GRADE 21
R334 HIGHER ED HUMAN RESOURCES COORD	1	
(9) R088 HIGHER ED FINANCIAL OFFICER	2	GRADE 20
R096 HIGHER ED ASST COORD STDNT FIN AID	1	
ACCOUNTING SUPERVISOR II	1	
(10) R240 DHE DATA COLLECTION ANALYST	2	GRADE 19
(11) R094 HIGHER ED RESEARCH ANALYST	1	GRADE 18
(12) R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 16
(13) K186 WORD PROCESSING SUPV	1	GRADE 15
(14) R444 BUSINESS CONTROLLER I	1	GRADE 14
(15) K179 SECRETARY/WORD PROCESS SPECIALIST	1	GRADE 12
(16) K178 SECRETARY/WORD PROCESSING OPERATOR	<u>6</u>	GRADE 10
MAX NO. OF EMPLOYEES	27	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Higher Education for the 1987-89 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification.

SECTION 3. APPROPRIATIONS - GENERAL OPERATIONS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for personal services, operating expenses and grants of the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) REGULAR SALARIES	\$ 674,432	\$ 674,432
(02) EXTRA HELP	2,101	2,101
(03) PERSONAL SERVICES MATCHING	137,957	137,957
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 234,045	\$ 250,738
(B) CONF. & TRAVEL	22,525	22,525
(C) PROF. FEES	0	0

(D)	CAPITAL OUTLAY	5,000	5,000
(E)	DATA PROCESSING	_____0	_____0
	TOTAL MAINT. & GEN. OPER.		261,570 278,263
(05)	GRANTS/DP SERV/SUPPLIES-STATE SCHOLARSHIP PROG	4,093,879	4,093,879
(06)	COLLEGE COURSES/DEPT OF CORRECTION	24,787	24,787
(07)	FACULTY/ADMINISTRATOR DEVELOPMENT MATCHING	30,000	30,000
(08)	PROGRAM EVALUATION	49,602	49,602
(09)	COMMUNITY LEADER DEVELOPMENT	35,000	70,000
(10)	OFF-CAMPUS MATCHING	_____80,000	_____80,000
	TOTAL AMOUNT APPROPRIATED		\$ 5,389,328 \$ 5,441,021

SECTION 4. APPROPRIATIONS - CASH FUNDS. There is hereby appropriated, to the Department of Higher Education, to be payable from cash funds of the Department of Higher Education, for operating expenses of the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 12,782	\$ 12,782
(B) CONF. & TRAVEL	6,215	6,215
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	_____0	_____0
TOTAL MAINT. & GEN. OPER.	_____18,997	_____18,997
TOTAL AMOUNT APPROPRIATED	\$ 18,997	\$ 18,997

SECTION 5. APPROPRIATIONS - SCHOLARSHIPS TO DEPENDENTS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for provision of the scholarships to state-supported institutions of higher education and vocational-technical schools for the dependents of certain Arkansas citizens killed or missing in action, as provided by Act 188 of 1973 by the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) MIA/KIA TUITION WAIVERS	\$ 20,000	\$ 20,000

SECTION 6. APPROPRIATIONS - SREB INSTITUTE. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for making the contribution of the State of Arkansas to the SREB Institute for Higher Educational Opportunity by the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) STATE'S CONTRIBUTION-SREB INSTITUTE	\$ 80,000	\$ 80,000

SECTION 7. APPROPRIATIONS - STATE SCHOLARSHIP - FEDERAL. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Federal Fund, for grants-in-aid of the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) GRANTS-IN-AID	\$ 485,278	\$ 485,278

SECTION 8. APPROPRIATIONS - TEACHER RETRAINING LOAN AWARDS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for teacher retraining loan awards, as may be provided by law, by the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) TEACHER RETRAINING LOANS	\$ 270,000	\$ 230,000

SECTION 9. APPROPRIATIONS - HIGHER EDUCATION PROMOTIONAL GRANTS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for the State Board of Higher Education to utilize in the promotion of statewide higher education priorities of the State Board of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) HIGHER EDUCATION PROMOTIONAL GRANTS	\$ 3,364,338	\$ 3,355,740

SECTION 10. APPROPRIATIONS - MATH/SCIENCE TEACHER LOAN AWARDS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for math/science teacher loan awards, as may be provided by law, by the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) MATH/SCIENCE TEACHER LOAN AWARDS	\$ 132,907	\$ 132,907

SECTION 11. APPROPRIATIONS - GOVERNOR'S SCHOLARS PROGRAM AWARDS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for Governor's Scholars Program Awards by the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) GOVERNOR'S SCHOLARS PROGRAM AWARDS	\$ 755,000	\$ 755,000

SECTION 12. APPROPRIATIONS - SCHOLARSHIPS - SURVIVING CHILDREN. There is hereby appropriated, to the Department of Higher Education, to be payable from the Miscellaneous Revolving Fund, for payment of college scholarships to surviving children of the law enforcement officers and firemen killed in the official line of duty, as prescribed by law, by the Department of Higher

Education for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) SCHOLARSHIPS	\$ 6,000	\$ 6,000

SECTION 13. APPROPRIATIONS - EDUCATION FOR ECONOMIC SECURITY. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Federal Fund, for operating expenses and grants of the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 13,440	\$ 13,440
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	13,440	13,440
(02) GRANTS	380,364	380,364
TOTAL AMOUNT APPROPRIATED	\$ 393,804	\$ 393,804

SECTION 14. APPROPRIATIONS - PLACEMENT TESTS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for placement tests, consultants, a project coordinator, and other expenses associated with the development of the testing program for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) PLACEMENT TESTING PROGRAM	\$ 50,000	\$ 50,000

SECTION 15. TRANSFER PROVISION. Upon certification by the Director of the Department of Higher Education that transfers are needed to make maximum utilization of funds and appropriations provided for financial aid programs,

and with the approval of the Chief Fiscal Officer of the State, funds and appropriations may be transferred between financial aid programs.

SECTION 16. TRANSFER PROVISION. Upon certification by the Chairman of the State Board of Higher Education to the Chief Fiscal Officer of the State, funds and appropriation provided in Section 9 of this Act may be transferred to Institutions of Higher Education as deemed appropriate by the State Board of Higher Education. Upon filing of any required plan by an Institution of Higher Education to the State Board of Higher Education, such plan shall be filed with the Arkansas Legislative Council for its review.

SECTION 17. TRANSFER PROVISION. Upon certification by the Director of the Department of Higher Education to the Chief Fiscal Officer of the State, funds and appropriations provided in Item (06) of Section 3 of this Act may be transferred to Institutions of Higher Education for the provision of courses at units of the Department of Correction.

SECTION 18. In order to provide timely payments under financial aid appropriations made in this Act, the Chief Fiscal Officer of the State is authorized to provide loans from the State Budget Revolving Fund to make available all funds attributable to the financial aid programs under the then current official revenue estimates. In the event of an unanticipated state revenue shortfall, any such loans remaining at the end of a fiscal year shall be repaid from revenues distributed in the first two months of the next fiscal year. Funds for appropriations made in this Act for purposes other than financial aid shall not be affected by the application of this provision.

SECTION 19. Beginning with the fall 1988 semester, all first-time entering freshmen at all state-supported colleges and universities in Arkansas who are admitted to enroll in a Bachelor's degree program or in associate degree programs which transfer to the Bachelor's degree shall be tested by the admitting institution for purposes of placement in either college-level credit courses in English and mathematics or remedial courses in English composition, reading, and mathematics. Remedial courses shall not provide credit toward a degree. The State Board of Higher Education shall determine the tests to be used, the testing procedures and exemptions, and minimum scores

below which students at all institutions must take remedial courses. The State Board of Higher Education shall base these decisions on consultation with representatives of the institutions of higher education, analysis of the placement procedures presently used by institutions in Arkansas, statewide placement testing programs in other states, and pilot projects involving testing of entering freshmen at selected institutions in Arkansas.

SECTION 20. Beginning with the fall 1988 semester, all first-time entering freshmen at all state-supported colleges and universities in Arkansas who are admitted to enroll in a Bachelor's degree program or in associate degree programs which transfer to the Bachelor's degree shall be tested by the admitting institution for purposes of placement in either college-level credit courses in English and mathematics or remedial courses in English composition, reading, and mathematics. Remedial courses shall not provide credit toward a degree. The State Board of Higher Education shall determine the tests to be used, the testing procedures and exemptions, and minimum scores below which students at all institutions must take remedial courses. The State Board of Higher Education shall base these decisions on consultation with representatives of the institutions of higher education, analysis of the placement procedures presently used by institutions in Arkansas, statewide placement testing programs in other states, and pilot projects involving testing of entering freshmen at selected institutions in Arkansas.

SECTION 21. APPROPRIATIONS - CONGRESSIONAL TEACHER SCHOLARSHIP PROGRAM. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Federal Fund, for scholarships of the Department of Higher Education for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88	1988-89
(01) SCHOLARSHIPS	\$ 125,000	\$ 150,000
	=====	=====

SECTION 22. TRANSFER PROVISION. Upon Certification by the Chairman of the State Board of Higher Education to the Chief Fiscal Officer of the State, funds and appropriation provided in Item (09) of Section 3 of this Act may be

transferred to the University of Arkansas - Cooperative Extension Service for expenses of the Community Leader Development Program.

SECTION 23. INTENT. With the monies appropriated in Item (10) of Section 3 of this Act, the Department of Higher Education shall provide matching funds, on a one-for-one basis, for enhancing academic programs at existing off-campus locations at institutions where local or non-state funds are used to support the proposed match. The State Board of Higher Education shall develop rules and regulations to be used as the basis for the utilization of these monies.

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

SECTION 25. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 26. CONTRACT RESTRICTIONS. The agency, board, commission, department or institution to whom funds are appropriated by this Act shall not enter into any contract for any professional or consultant services which shall extend for more than twenty (20) actual working days or the total compensation exceeds five thousand dollars (\$5,000) during any one fiscal year without first seeking the advice of the Arkansas Legislative Council.

Provided further, that all contracts for professional or consultant services shall be submitted monthly to the Chief Fiscal Officer of the State for reporting to the Legislative Council.

SECTION 27. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth 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, 1987 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, 1987 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, 1987.

/s/ John E. Miller

