

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1239

4 By: Joint Budget Committee

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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 BLIND FOR THE BIENNIAL PERIOD ENDING JUNE
11 30, 1997; AND FOR OTHER PURPOSES."

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Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION
15 - SCHOOL FOR THE BLIND APPROPRIATION FOR
16 THE 1995-97 BIENNIUM."

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

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20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Department of Education - School for the Blind for the 1995-97 biennium, the
22 following maximum number of regular employees whose salaries shall be
23 governed by the provisions of the Uniform Classification and Compensation Act
24 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
25 thereto. Provided, however, that any position to which a specific maximum
26 annual salary is set out herein in dollars, shall be exempt from the
27 provisions of said Uniform Classification and Compensation Act. All persons
28 occupying positions authorized herein are hereby governed by the provisions
29 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
30 101), or its successor.

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Item	Class	No. of	Maximum Annual	
No.	Code	Title	Employees	Salary Rate
				Fiscal Years
				1995-96
				1996-97

1	(1) 9948 ED SUPT BLIND SCHOOL	1	\$ 58,449	\$
2	59,910			
3				
4	(2) E015 ED SCHOOL PRINCIPAL	2		GRADE 23
5	(3) 909Z PROGRAM SUPPORT MANAGER	1		GRADE 22
6	(4) A008 ACCOUNTING SUPV. II	1		GRADE 21
7	L122 PSYCHOLOGICAL EXAMINER II	1		
8	(5) E077 TEACHER F/T SENSORY IMPAIRED IV	15		GRADE 20
9	L030 DIETARY SERVICES DIRECTOR	1		
10	L070 NURSE II	1		
11	M088 SOCIAL WORKER II	1		
12	(6) E063 TEACHER F/T SENSORY IMPAIRED III	40		GRADE 19
13	(7) M050 REC ACT LDR SUPV.	1		GRADE 18
14	A111 ACCOUNTANT	2		
15	E037 LIBRARIAN II	2		
16	(8) R010 ADMINISTRATIVE ASSISTANT II	1		GRADE 17
17	R190 PERSONNEL OFFICER II	1		
18	(9) M048 RECREATIONAL ACTIVITY LEADER II	1		GRADE 15
19	L115 LPN II	2		
20	M039 HOUSEPARENT SUPERVISOR	2		
21	(10) K061 LIBRARY TECHNICAL ASST III	1		GRADE 14
22	(11) K153 SECRETARY II	4		GRADE 13
23	E017 INSTITUTION ASSISTANT LIBRARIAN	1		
24	E027 INSTITUTIONAL TEACHER ASSISTANT	5		
25	M047 RECREATIONAL ACTIVITY LEADER I	1		
26	M037 HOUSEPARENT	14		
27	(12) K155 SECRETARY I	2		GRADE 11
28	K059 LIBRARY TECHNICAL ASST II	1		
29	(13) H027 COOK II	2		GRADE 10
30	(14) H003 BAKER I	1		GRADE 08
31	H025 COOK I	2		
32	L079 NURSING AIDE/NURSING ASST I	1		
33	(15) H043 FOOD SERVICE WORKER II	1		GRADE 05
34	(16) G075 HOUSEKEEPER	1		GRADE 04
35	(17) H039 FOOD SERVICE WORKER I	9		GRADE 03

1	G171 CUSTODIAL WRKR I	<u>4</u>
2	MAX NO. OF EMPLOYEES	126

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

5 Department of Education - School for the Blind for the 1995-97 biennium, the

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

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

8 Twelve (12) temporary or part-time employees, when needed, at rates of pay

9 not to exceed those provided in the Uniform Classification and Compensation

10 Act, or its successor, or this act for the appropriate classification.

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

13 the Department of Education - School for the Blind, to be payable from the

14 School for the Blind Fund Account, for personal services and operating

15 ~~expenses of the Department of Education - School for the Blind for the~~

16 biennial period ending June 30, 1997, the following:

18 ITEM	FISCAL YEARS	
19 NO.	1995-96	1996-97
20 (01) REGULAR SALARIES	\$ 2,781,968	\$
21 2,781,968		
22 (02) EXTRA HELP	7,000	
23 7,000		
24 (03) PERSONAL SERV MATCHING	868,135	
25 868,243		
26 (04) OVERTIME	8,373	
27 8,873		
28 (05) MAINT. & GEN. OPERATION		
29 (A) OPER. EXPENSE \$	375,242	\$ 378,242
30 (B) CONF. & TRVL.	4,515	4,515
31 (C) PROF. FEES	37,100	37,100
32 (D) CAP. OUTLAY	50,000	50,000
33 (E) DATA PROC.	<u>1,800</u>	<u>1,800</u>
34 TOTAL MAINT. & GEN. OPER.		468,657
35 471,657		

1	(06) STUDENT VOCATIONAL EDUC	7,500
2	7,500	
3	(07) DEFERRED MAINTENANCE	25,000
4	25,000	
5	(08) SUMMER SCHOOL	20,000
6	<u>20,000</u>	
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,186,633</u>
8	<u>4,190,241</u>	

10 SECTION 4. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby
 11 appropriated, to the Department of Education - School for the Blind, to be
 12 payable from the federal funds as designated by the Chief Fiscal Officer of
 13 the State, for personal services and operating expenses of the Department of
 14 Education - School for the Blind - Federal Operations for the biennial period
 15 ending June 30, 1997, the following:

17	ITEM	FISCAL YEARS	
18	NO.	1995-96	1996-97
19	(01) REGULAR SALARIES	\$ 488,116	\$
20	488,116		
21	(02) PERSONAL SERV MATCHING	148,100	
22	148,100		
23	(03) MAINT. & GEN. OPERATION		
24	(A) OPER. EXPENSE	\$ 110,350	\$ 110,350
25	(B) CONF. & TRVL.	20,882	20,882
26	(C) PROF. FEES	4,632	4,632
27	(D) CAP. OUTLAY	50,000	50,000
28	(E) DATA PROC.	<u>0</u>	<u>0</u>
29	TOTAL MAINT. & GEN. OPER.		<u>185,864</u>
30	<u>185,864</u>		
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 822,080</u>	<u>\$</u>
32	<u>822,080</u>		

34 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 35 Department of Education - School for the Blind, to be payable from cash funds

1 as defined by Arkansas Code 19-4-801 of the Department of Education - School
2 for the Blind, for operating expenses of the Department of Education - School
3 for the Blind for the biennial period ending June 30, 1997, the following:

ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
7 (01) MAINT. & GEN. OPERATION		
8 (A) OPER. EXPENSE \$	186,008 \$	186,508
9 (B) CONF. & TRVL.	9,500	9,500
10 (C) PROF. FEES	34,925	39,925
11 (D) CAP. OUTLAY	50,000	50,000
12 (E) DATA PROC.	<u>0</u>	<u>0</u>
13 TOTAL MAINT. & GEN. OPER.		<u>280,433</u>
14 <u>285,933</u>		
15 TOTAL AMOUNT APPROPRIATED		<u>\$ 280,433 \$</u>
16 <u>285,933</u>		

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18 SECTION 6. APPROPRIATIONS - BRAILLE TEXTBOOKS. There is hereby
19 appropriated, to the Department of Education - School for the Blind, to be
20 payable from the School for the Blind Fund Account, for the purchase of
21 braille and large print textbooks for visually impaired and blind students
22 attending public schools in Arkansas by the Department of Education - School
23 for the Blind for the biennial period ending June 30, 1997, the following:

ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
27 (01) PURCHASE BRAILLE TEXTBOOK	<u>\$ 85,000</u>	<u>\$</u>
28 <u>85,000</u>		

29
30 SECTION 7. The State Board of Education shall make reasonable rules
31 and regulations to implement the Braille and Large Print Textbooks
32 appropriation and is hereby authorized to negotiate directly with publishers
33 of Braille and Large Print Textbooks for the purchase of such textbooks.

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35 SECTION 8. SUMMER SCHOOL EMPLOYEES. Employees who, in addition to

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

7	SUMMER SCHOOL POSITIONS	GRADE
8	Teacher for the Sens Imp I	16
9	Teacher for the Sens Imp II	18
10	Teacher for the Sens Imp III	19
11	Teacher for the Sens Imp IV	20

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14 SECTION 9. Upon the superintendent's certification to the State
15 Personnel Administrator of prior service at an educational institution and
16 most recent contractual salary, the salary of teachers holding certification
17 in teaching the visually impaired and entering state service as teachers for
18 the sensory impaired may be adjusted to a rate of pay closest to but not less
19 than their most recent annual salary.

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21 SECTION 10. SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and
22 Blind may make special allowances available to any employee who performs one
23 of the following duties in addition to their normal duties:

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

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

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31 SECTION 11. TRANSFER PROVISION. Upon approval from the Chief Fiscal
32 Officer of the State, the Arkansas School for the Blind shall transfer
33 appropriation from Item No. (08) Summer School, in Section 3 of this Act, to
34 Item No. (01) Regular Salaries and to Item No. (03) Personal Services
35 Matching, in Section 3 of this Act, to compensate Teachers, Houseparents,

1 Food Service and Nursing staff who work during the summer school term and to
2 compensate coaches and organization sponsors as referenced in Section 10 of
3 this Act.

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

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

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23 SECTION 13. *POOL POSITIONS. The Department of Education - School for*
24 *the Blind, may establish and maintain for the 1995-97 biennium a pool of*
25 *fifty (50) classified positions not to exceed the maximum grade of 24. These*
26 *positions are to be used if necessary in the event the School for the Blind*
27 *reorganizes during the 1995-97 biennium and the personnel services needs of*
28 *the School as authorized in Section 1 herein do not meet the needs of such*
29 *reorganization. To obtain a position from the pool, the School for the Blind*
30 *must surrender the position being reclassified. No classification, grade, or*
31 *salary level will be assigned to the pool positions until such time as*
32 *specific positions are requested by the School for the Blind and approved by*
33 *the Chief Fiscal Officer of the State after receiving prior review by the*
34 *Arkansas Legislative Council or Joint Budget Committee.*

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

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

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20 SECTION 16. CODE. All provisions of this Act of a general and
21 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
22 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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24 SECTION 17. SEVERABILITY. If any provision of this Act or the
25 application thereof to any person or circumstance is held invalid, such
26 invalidity shall not affect other provisions or applications of the Act which
27 can be given effect without the invalid provision or application, and to this
28 end the provisions of this Act are declared to be severable.

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30 SECTION 18. GENERAL REPEALER. All laws and parts of laws in conflict
31 with this Act are hereby repealed.

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33 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the
34 Eightieth General Assembly, that the Constitution of the State of Arkansas
35 prohibits the appropriation of funds for more than a two (2) year period;

1 that the effectiveness of this Act on July 1, 1995 is essential to the
2 operation of the agency for which the appropriations in this Act are
3 provided, and that in the event of an extension of the Regular Session, the
4 delay in the effective date of this Act beyond July 1, 1995 could work
5 irreparable harm upon the proper administration and provision of essential
6 governmental programs. Therefore, an emergency is hereby declared to exist
7 and this Act being necessary for the immediate preservation of the public
8 peace, health and safety shall be in full force and effect from and after
9 July 1, 1995.

10 */s/Rep. E. Thicksten*

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