

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

A Bill

HOUSE BILL 1249

4 By: Joint Budget Committee
5
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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 DEAF FOR THE BIENNIAL PERIOD ENDING JUNE
11 30, 1997; AND FOR OTHER PURPOSES."
12

Subtitle

13 "AN ACT FOR THE DEPARTMENT OF EDUCATION
14 - SCHOOL FOR THE DEAF APPROPRIATION FOR
15 THE 1995-97 BIENNIUM."
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18 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 Deaf 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		Maximum	Maximum Annual	
No.	Code	No. of	Salary Rate	Fiscal Years
Title		Employees	1995-96	1996-97

1	(1) 9949 ED SUPT DEAF SCHOOL	1	\$ 58,449	\$
2	59,910			
3	(2) 297Z GENERAL BUSINESS MANAGER	1	GRADE 24	
4	(3) E015 ED SCHOOL PRINCIPAL	2	GRADE 23	
5	M122 EVAL/ADMISSIONS/HLTH SVCS MGR	1		
6	990Z ED COORD STUDENT ASSESSMENT PROGRAM	1		
7	(4) E057 TEACHER F/T SENSORY IMPAIRED SUPV	2	GRADE 22	
8	(5) L122 PSYCHOLOGICAL EXAMINER II	2	GRADE 21	
9	M090 CAMPUS LIFE COORDINATOR	1		
10	L142 SPEECH PATHOLOGIST SUPV	1		
11	E028 ED PROGRAM ADMINISTRATOR	1		
12	(6) L104 PHYSICAL THERAPIST II/PHYSICAL THPT	1	GRADE 20	
13	R266 MANAGEMENT PROJECT ANALYST II	2		
14	L008 AUDIOLOGIST	3		
15	L140 SPEECH PATHOLOGIST II	3		
16	M028 COUNSELOR II	1		
17	E077 TEACHER F/T SENSORY IMPAIRED IV	3		
18	E078 VOCATIONAL INSTRUCTOR IV	6		
19	(7) E063 TEACHER F/T SENSORY IMPAIRED III	48	GRADE 19	
20	L028 DIETICIAN	1		
21	M086 SOCIAL WORKER I	1		
22	E014 DIRECTOR OF MULTI-MEDIA SERVICES	1		
23	E039 LIBRARIAN III	1		
24	(8) G028 BUILDING PLANT MAINTENANCE SUPV II	1	GRADE 18	
25	A111 ACCOUNTANT	1		
26	L138 SPEECH PATHOLOGIST I	1		
27	(9) Y057 JOURNEYMAN PAINTER	2	GRADE 17	
28	G161 GENERAL MAINTENANCE REP	1		
29	Y053 JOURNEYMAN CARPENTER	1		
30	Y039 HEATING & A/C MECHANIC	1		
31	Y055 JOURNEYMAN ELECTRICIAN	1		
32	R190 PERSONNEL OFFICER II	1		
33	(10) V011 CENTRAL SUPPLY SUPV	1	GRADE 15	
34	L115 LPN II	3		
35	M039 HOUSEPARENT SUPERVISOR	3		

1	M048 RECREATIONAL ACTIVITY LEADER II	4	
2	A108 ACCOUNTING TECHNICIAN II	1	
3	(11) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
4	(12) E027 INSTITUTIONAL TEACHER ASSISTANT	8	GRADE 13
5	M037 HOUSEPARENT	30	
6	G021 BOILER OPERATOR	1	
7	H049 SUPERVISOR OF COOKING	1	
8	K153 SECRETARY II	6	
9	E017 INSTITUTION ASSISTANT LIBRARIAN	1	
10	(13) A106 ACCOUNTING TECHNICIAN I	2	GRADE 12
11	(14) H047 MEAT CUTTER II/BUTCHER II	1	GRADE 11
12	K155 SECRETARY I	3	
13	(15) G165 WORK MAINTENANCE LEADER	3	GRADE 10
14	H027 COOK II	4	
15	G006 MOTOR VEHICLE OPERATOR	1	
16	(16) H003 BAKER I	3	GRADE 08
17	H025 COOK I	13	
18	G109 BLDG/EQUIP MAINT REPAIRMAN II	2	
19	G010 LAUNDRY SUPV.	1	
20	(17) G107 BLDG/EQUIP MAINT REPAIRMAN	1	GRADE 06
21	(18) G008 LAUNDRY WORKER	1	GRADE 04
22	G173 MAINTENANCE WORKER I	<u>9</u>	
23	MAX NO. OF EMPLOYEES	198	

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

26 Department of Education - School for the Deaf for the 1995-97 biennium, the

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

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

29 thirty-five (35) temporary or part-time employees, when needed, at rates of

30 pay not to exceed those provided in the Uniform Classification and

31 Compensation Act, or its successor, or this act for the appropriate

32 classification.

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

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

1 School for the Deaf Fund Account, for personal services and operating
2 ~~expenses of the Department of Education - School for the Deaf - State for the~~
3 biennial period ending June 30, 1997, the following:

ITEM		FISCAL YEARS	
NO.		1995-96	1996-97
7 (01)	REGULAR SALARIES	\$ 4,219,032	\$
8	4,221,017		
9 (02)	EXTRA HELP	41,029	
10	41,029		
11 (03)	PERSONAL SERV MATCHING	1,268,743	
12	1,269,186		
13 (04)	OVERTIME	12,500	
14	12,500		
15 (05)	MAINT. & GEN. OPERATION		
16	(A) OPER. EXPENSE	\$ 1,070,929	\$ 1,099,429
17	(B) CONF. & TRVL.	20,000	20,000
18	(C) PROF. FEES	40,000	40,000
19	(D) CAP. OUTLAY	45,000	45,000
20	(E) DATA PROC.	<u>0</u>	<u>0</u>
21	TOTAL MAINT. & GEN. OPER.	1,175,929	
22	1,204,429		
23 (06)	DEFERRED MAINTENANCE	<u>125,000</u>	
24	<u>125,000</u>		
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 6,842,233</u>	<u>\$</u>
26	<u>6,873,161</u>		

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28 SECTION 4. APPROPRIATIONS - FEDERAL VOCATIONAL EDUCATION. There is
29 hereby appropriated, to the Department of Education - School for the Deaf, to
30 be payable from the federal funds as designated by the Chief Fiscal Officer
31 of the State, for operating expenses of the Department of Education - School
32 for the Deaf - Federal Vocational Education for the biennial period ending
33 June 30, 1997, the following:

ITEM	FISCAL YEARS
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1 NO.		1995-96	1996-97
2 (01)	MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE \$	0 \$	0
4	(B) CONF. & TRVL.	0	0
5	(C) PROF. FEES	0	0
6	(D) CAP. OUTLAY	10,000	0
7	(E) DATA PROC.	<u>0</u>	<u>0</u>
8	TOTAL MAINT. & GEN. OPER.	\$ 10,000	0
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,000</u>	<u>\$</u>

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12 SECTION 5. APPROPRIATIONS - AREA SERVICES FOR LOW INCIDENCE

13 HANDICAPPED. There is hereby appropriated, to the Department of Education -
 14 School for the Deaf, to be payable from the federal funds as designated by
 15 the Chief Fiscal Officer of the State, for personal services and operating
 16 expenses of the Department of Education - School for the Deaf - Area Services
 17 for Low Incidence Handicapped for the biennial period ending June 30, 1997,
 18 the following:

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20 ITEM		FISCAL YEARS	
21 NO.		1995-96	1996-97
22 (01)	REGULAR SALARIES	\$ 436,595	\$
23	436,595		
24 (02)	PERSONAL SERV MATCHING	123,205	
25	123,205		
26 (03)	MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE \$	110,818 \$	110,818
28	(B) CONF. & TRVL.	18,240	18,240
29	(C) PROF. FEES	6,000	6,000
30	(D) CAP. OUTLAY	12,000	12,000
31	(E) DATA PROC.	<u>0</u>	<u>0</u>
32	TOTAL MAINT. & GEN. OPER.	<u>147,058</u>	
33	<u>147,058</u>		
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 706,858</u>	<u>\$</u>
35	<u>706,858</u>		

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2 SECTION 6. APPROPRIATIONS - MEDICAID PROVIDER PROGRAM. There is hereby
3 appropriated, to the Department of Education - School for the Deaf, to be
4 payable from the federal funds as designated by the Chief Fiscal Officer of
5 the State, for operating expenses of the Department of Education - School for
6 the Deaf - Medicaid Provider Program for the biennial period ending June 30,
7 1997, the following:

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9 <u>ITEM</u>		<u>FISCAL YEARS</u>	
10 NO.		1995-96	1996-97
11 (01)	MAINT. & GEN. OPERATION		
12	(A) OPER. EXPENSE \$	30,000	\$ 30,000
13	(B) CONF. & TRVL.	10,000	10,000
14	(C) PROF. FEES	8,000	8,000
15	(D) CAP. OUTLAY	37,000	37,000
16	(E) DATA PROC.	<u>0</u>	<u>0</u>
17	TOTAL MAINT. & GEN. OPER.		<u>85,000</u>
18	<u>85,000</u>		
19	TOTAL AMOUNT APPROPRIATED		<u>\$ 85,000</u> \$
20	<u>85,000</u>		

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22 SECTION 7. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby
23 appropriated, to the Department of Education - School for the Deaf, to be
24 payable from the federal funds as designated by the Chief Fiscal Officer of
25 the State, for personal services and operating expenses of the Department of
26 Education - School for the Deaf - Federal Operations for the biennial period
27 ending June 30, 1997, the following:

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29 <u>ITEM</u>		<u>FISCAL YEARS</u>	
30 NO.		1995-96	1996-97
31 (01)	REGULAR SALARIES	\$ 66,460	\$
32	66,460		
33 (02)	PERSONAL SERV MATCHING	18,572	
34	18,572		
35 (03)	MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE \$	23,703	\$	23,703
2	(B) CONF. & TRVL.	4,611		4,611
3	(C) PROF. FEES	0		0
4	(D) CAP. OUTLAY	7,000		7,000
5	(E) DATA PROC.	<u>0</u>		<u>0</u>
6	TOTAL MAINT. & GEN. OPER.			<u>35,314</u>
7		<u>35,314</u>		
8	TOTAL AMOUNT APPROPRIATED		\$	<u>120,346</u> \$
9		<u>120,346</u>		

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11 SECTION 8. APPROPRIATIONS - DEAF/BLIND. There is hereby appropriated,
 12 to the Department of Education - School for the Deaf, to be payable from the
 13 federal funds as designated by the Chief Fiscal Officer of the State, for
 14 personal services and operating expenses of the Department of Education -
 15 School for the Deaf - Deaf/Blind for the biennial period ending June 30,
 16 1997, the following:

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18	ITEM	FISCAL YEARS	
19	NO.	1995-96	1996-97
20	(01) REGULAR SALARIES	\$ 93,561	\$
21	94,291		
22	(02) PERSONAL SERV MATCHING	31,562	
23	31,712		
24	(03) MAINT. & GEN. OPERATION		
25	(A) OPER. EXPENSE \$	20,000	\$ 20,000
26	(B) CONF. & TRVL.	7,500	7,500
27	(C) PROF. FEES	4,000	4,000
28	(D) CAP. OUTLAY	10,000	10,000
29	(E) DATA PROC.	0	0
30	TOTAL MAINT. & GEN. OPER.		<u>41,500</u>
31		<u>41,500</u>	
32	TOTAL AMOUNT APPROPRIATED		\$ <u>166,623</u> \$
33		<u>167,503</u>	

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35 SECTION 9. APPROPRIATIONS - CASH. There is hereby appropriated, to the

1 Department of Education - School for the Deaf, to be payable from cash funds
2 as defined by Arkansas Code 19-4-801 of the Department of Education - School
3 for the Deaf, for operating expenses of the Department of Education - School
4 for the Deaf for the biennial period ending June 30, 1997, the following:

6 ITEM	FISCAL YEARS	
7 NO.	1995-96	1996-97
8 (01) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSE \$	127,136 \$	127,136
10 (B) CONF. & TRVL.	5,000	5,000
11 (C) PROF. FEES	8,000	8,000
12 (D) CAP. OUTLAY	30,000	30,000
13 (E) DATA PROC.	<u>0</u>	<u>0</u>
14 TOTAL MAINT. & GEN. OPER.	<u>\$ 170,136</u>	<u>\$</u>
15 <u>170,136</u>	TOTAL AMOUNT APPROPRIATED	<u>\$ 170,136</u> \$
16 <u>170,136</u>		

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

24 Payment of additional compensation shall be limited to employees in the
25 following classifications:

26 <u>SUMMER SCHOOL POSITIONS</u>	<u>GRADE</u>
27 Teacher for the Sens Imp I	17
28 Teacher for the Sens Imp II	18
29 Teacher for the Sens Imp III	19
30 Teacher for the Sens Imp IV	20
31 Speech Pathologist II	20
32 Vocational Instructor II	18
33 Vocational Instructor III	19
34 Vocational Instructor IV	20
35 Teacher for Sen Imp Super	22

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SECTION 11. Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution and most recent contractual salary, the salary of teachers holding certification in teaching the hearing impaired and entering state service as teachers for the sensory impaired may be adjusted to a rate of pay closest to but not less than their most recent annual salary.

SECTION 12. SHIFT DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

SECTION 13. SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special allowances available to any employee who performs one of the following duties in addition to their normal duties:

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

outside of the normal working day.

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

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

Any employee knowingly violating the provisions of this section shall be subject to immediate termination and shall be barred from employment by

1 any agency or institution of the State of Arkansas for a period of not less
2 than three (3) years or until such employee shall repay to the State of
3 Arkansas any sums received by such employee in violation of this section,
4 together with interest at a rate of ten percent (10%) per annum.

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6 SECTION 15. 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
12 control laws of this State, where applicable, and regulations promulgated by
13 the Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.

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16 SECTION 16. 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
19 which 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.

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25 SECTION 17. CODE. All provisions of this Act of a general and
26 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
27 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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29 SECTION 18. 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.

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35 SECTION 19. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

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3 SECTION 20. EMERGENCY CLAUSE. It is hereby found and determined by
4 the Eightieth General Assembly, that the Constitution of the State of
5 Arkansas prohibits the appropriation of funds for more than a two (2) year
6 period; that the effectiveness of this Act on July 1, 1995 is essential to
7 the operation of the agency for which the appropriations in this Act are
8 provided, and that in the event of an extension of the Regular Session, the
9 delay in the effective date of this Act beyond July 1, 1995 could work
10 irreparable harm upon the proper administration and provision of essential
11 governmental programs. Therefore, an emergency is hereby declared to exist
12 and this Act being necessary for the immediate preservation of the public
13 peace, health and safety shall be in full force and effect from and after
14 July 1, 1995.

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/s/Rep. E. Thicksten

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