

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/25/99

A Bill

HOUSE BILL 1428

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION
11 - SCHOOL FOR THE DEAF FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2001; AND FOR OTHER PURPOSES. "
13

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION
15 - SCHOOL FOR THE DEAF APPROPRIATION FOR
16 THE 1999-2001 BIENNIUM. "
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Education - School for the Deaf for the 1999-2001 biennium, the
24 following maximum number of regular employees whose salaries shall be governed
25 by the provisions of the Uniform Classification and Compensation Act (Arkansas
26 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
27 Provided, however, that any position to which a specific maximum annual salary
28 is set out herein in dollars, shall be exempt from the provisions of said
29 Uniform Classification and Compensation Act. All persons occupying positions
30 authorized herein are hereby governed by the provisions of the Regular
31 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
32 successor.
33

34			Maximum Annual
35		Maximum	Salary Rate
36	Item Class	No. of	Fiscal Years

KCA041

0203990600. KCA041

	No.	Code	Title	Employees	1999-2000	2000-2001
1						
2	(1)	9949	ED SUPT DEAF SCHOOL	1	\$68,333	\$70,246
3	(2)	026Z	ASD/ASB BUSINESS MANAGER	1	GRADE 26	
4	(3)	990Z	ED COORD STUDENT ASSESSMENT PROGRAM	1	GRADE 23	
5	(4)	E015	ED SCHOOL PRINCIPAL	2	GRADE 23	
6	(5)	M122	EVAL/ADMINISTRATIONS/HLTH SVCS MGR	1	GRADE 23	
7	(6)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE 22	
8	(7)	E057	TEACHER F/T SENSORY IMPAIRED SUPV	1	GRADE 22	
9	(8)	M090	CAMPUS LIFE COORDINATOR	1	GRADE 21	
10	(9)	E028	ED PROGRAM ADMINISTRATOR	1	GRADE 21	
11	(10)	L122	PSYCHOLOGICAL EXAMINER II	2	GRADE 21	
12	(11)	M028	COUNSELOR II	2	GRADE 20	
13	(12)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
14	(13)	L140	SPEECH PATHOLOGIST II	5	GRADE 20	
15	(14)	L008	SR AUDIOLOGIST	3	GRADE 20	
16	(15)	E077	TEACHER F/T SENSORY IMPAIRED IV	13	GRADE 20	
17	(16)	D121	USER SUPPORT ANALYST	1	GRADE 20	
18	(17)	E078	VOCATIONAL INSTRUCTOR IV	6	GRADE 20	
19	(18)	R030	ASST PERSONNEL MANAGER	1	GRADE 19	
20	(19)	G026	BLDG AND GROUNDS COORDINATOR	1	GRADE 19	
21	(20)	L028	DIETICIAN	1	GRADE 19	
22	(21)	E014	DIRECTOR MULTI-MEDIA SERVICES	1	GRADE 19	
23	(22)	E039	LIBRARIAN III	1	GRADE 19	
24	(23)	E063	TEACHER F/T SENSORY IMPAIRED III	36	GRADE 19	
25	(24)	A111	ACCOUNTANT	1	GRADE 18	
26	(25)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
27	(26)	G161	GENERAL MAINTENANCE REPAIRMAN	4	GRADE 17	
28	(27)	Y039	HEATING & A/C MECHANIC	1	GRADE 17	
29	(28)	Y053	JOURNEYMAN CARPENTER	1	GRADE 17	
30	(29)	Y057	JOURNEYMAN PAINTER	1	GRADE 17	
31	(30)	Y061	JOURNEYMAN PLUMBER	1	GRADE 17	
32	(31)	R190	PERSONNEL OFFICER II	1	GRADE 17	
33	(32)	A108	ACCOUNTING TECHNICIAN II	2	GRADE 15	
34	(33)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15	
35	(34)	M039	HOUSEPARENT SUPERVISOR	3	GRADE 15	
36	(35)	L115	LPN II/LPTN II	3	GRADE 15	

1	(36)	M048	RECREATIONAL ACTIVITY LEADER II	4	GRADE 15
2	(37)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
3	(38)	G021	BOILER OPERATOR	1	GRADE 13
4	(39)	M037	HOUSEPARENT	30	GRADE 13
5	(40)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
6	(41)	E027	INSTITUTIONAL TEACHER ASSISTANT	8	GRADE 13
7	(42)	R125	PERSONNEL OFFICER	1	GRADE 13
8	(43)	K153	SECRETARY II	10	GRADE 13
9	(44)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
10	(45)	Y001	APPRENTICE TRADESMAN	2	GRADE 11
11	(46)	K155	SECRETARY I	1	GRADE 11
12	(47)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
13	(48)	H027	COOK II	19	GRADE 10
14	(49)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
15	(50)	G006	MOTOR VEHICLE OPERATOR	1	GRADE 10
16	(51)	G165	WORK MAINTENANCE LEADER	2	GRADE 10
17	(52)	G109	BLDG/EQUIP MAINT REPAIRMAN II	2	GRADE 08
18	(53)	G010	LAUNDRY SUPERVISOR	1	GRADE 08
19	(54)	G175	MAINTENANCE WORKER II	8	GRADE 05
20	(55)	G008	LAUNDRY WORKER	<u>1</u>	GRADE 04
21			MAX. NO. OF EMPLOYEES	201	

22

23 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 24 Education - School for the Deaf for the 1999-2001 biennium, the following
 25 maximum number of part-time or temporary employees, to be known as "Extra
 26 Help", payable from funds appropriated herein for such purposes: thirty five
 27 (35) temporary or part-time employees, when needed, at rates of pay not to
 28 exceed those provided in the Uniform Classification and Compensation Act, or
 29 its successor, or this act for the appropriate classification.

30

31 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 32 to the Department of Education - School for the Deaf, to be payable from the
 33 School for the Deaf Fund Account, for personal services and operating expenses
 34 of the Department of Education - School for the Deaf for the biennial period
 35 ending June 30, 2001, the following:

36

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 4,898,750	\$ 5,035,918
(02) EXTRA HELP	46,029	46,029
(03) PERSONAL SERV MATCHING	1,572,731	1,599,965
(04) OVERTIME	17,500	17,500
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,228,305	1,228,305
(B) CONF. & TRAVEL	25,000	25,000
(C) PROF. FEES	80,000	80,000
(D) CAP. OUTLAY	150,000	150,000
(E) DATA PROC.	0	0
(06) DEFERRED MAINTENANCE	400,000	400,000
(07) VOCATIONAL ED - STUDENT WORK PAYMENTS	7,500	7,500
(08) SCPI TEST LEVEL PAYMENTS	45,000	50,000
(09) SUMMER PROJECTS	<u>20,000</u>	<u>20,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 8,490,815</u>	<u>\$ 8,660,217</u>

18

19 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
20 appropriated, to the Department of Education - School for the Deaf, to be
21 payable from the federal funds as designated by the Chief Fiscal Officer of
22 the State, for personal services and operating expenses of the Department of
23 Education - School for the Deaf - Federal Operations for the biennial period
24 ending June 30, 2001, the following:

25

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 52,610	\$ 54,083
(02) PERSONAL SERV MATCHING	16,910	17,202
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	23,703	23,703
(B) CONF. & TRAVEL	4,611	4,611
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	7,000	7,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 104,834</u>	<u>\$ 106,599</u>

36

1

2 SECTION 5. APPROPRIATION - AREA SERVICES FOR LOW INCIDENCE HANDICAPPED.

3 There is hereby appropriated, to the Department of Education - School for the
 4 Deaf, to be payable from the federal funds as designated by the Chief Fiscal
 5 Officer of the State, for personal services and operating expenses of the
 6 Department of Education - School for the Deaf - Area Services For Low
 7 Incidence Handicapped for the biennial period ending June 30, 2001, the
 8 following:

9

10	ITEM	FISCAL YEARS	
11	NO.	1999-2000	2000-2001
12	(01) REGULAR SALARIES	\$ 467,414	\$ 480,503
13	(02) PERSONAL SERV MATCHING	131,609	134,206
14	(03) MAINT. & GEN. OPERATION		
15	(A) OPER. EXPENSE	110,818	110,818
16	(B) CONF. & TRAVEL	25,000	25,000
17	(C) PROF. FEES	10,000	10,000
18	(D) CAP. OUTLAY	12,000	12,000
19	(E) DATA PROC.	<u>0</u>	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$ 756,841</u>	<u>\$ 772,527</u>

21

22 SECTION 6. APPROPRIATION - MEDICAID PROVIDER - FEDERAL. 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 Operating Expenses of the Department of Education - School for
 26 the Deaf - Medicaid Provider Program - Federal for the biennial period ending
 27 June 30, 2001, the following:

28

29	ITEM	FISCAL YEARS	
30	NO.	1999-2000	2000-2001
31	(01) MAINT. & GEN. OPERATION		
32	(A) OPER. EXPENSE	50,000	50,000
33	(B) CONF. & TRAVEL	15,000	15,000
34	(C) PROF. FEES	130,000	130,000
35	(D) CAP. OUTLAY	50,000	50,000
36	(E) DATA PROC.	<u>0</u>	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 245,000 \$ 245,000

2

3 SECTION 7. APPROPRIATION - DEAF/BLIND. There is hereby appropriated, to the
4 Department of Education - School for the Deaf, to be payable from the federal
5 funds as designated by the Chief Fiscal Officer of the State, for personal
6 services and operating expenses of the Department of Education - School for
7 the Deaf - Deaf/Blind - Federal for the biennial period ending June 30, 2001,
8 the following:

9

10 ITEM	FISCAL YEARS	
11 NO.	1999-2000	2000-2001
12 (01) REGULAR SALARIES	\$ 91,716	\$ 94,285
13 (02) PERSONAL SERV MATCHING	29,522	30,032
14 (03) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE	20,000	20,000
16 (B) CONF. & TRAVEL	7,500	7,500
17 (C) PROF. FEES	4,000	4,000
18 (D) CAP. OUTLAY	7,500	7,500
19 (E) DATA PROC.	<u>0</u>	<u>0</u>
20 TOTAL AMOUNT APPROPRIATED	\$ <u>160,238</u>	\$ <u>163,317</u>

21

22 SECTION 8. APPROPRIATIONS - CASH OPERATIONS. There is hereby appropriated,
23 to the Department of Education - School for the Deaf, to be payable from cash
24 funds as defined by Arkansas Code 19-4-801 of the Department of Education -
25 School for the Deaf, for Operating Expenses of the Department of Education -
26 School for the Deaf for the biennial period ending June 30, 2001, the
27 following:

28

29 ITEM	FISCAL YEARS	
30 NO.	1999-2000	2000-2001
31 (01) MAINT. & GEN. OPERATION		
32 (A) OPER. EXPENSE	147,136	147,136
33 (B) CONF. & TRAVEL	25,000	25,000
34 (C) PROF. FEES	28,000	28,000
35 (D) CAP. OUTLAY	50,000	50,000
36 (E) DATA PROC.	0	0

1	(02) DEFERRED MAINTENANCE	<u>25,000</u>	<u>25,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 275,136</u>	<u>\$ 275,136</u>

3

4 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
5 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
6 MAINTENANCE/TRANSPORTATION/SECURITY. The Arkansas School for the Deaf shall
7 be responsible for providing maintenance, transportation, and security for the
8 Arkansas School for the Blind. The Arkansas School for the Deaf is authorized
9 to spend general revenue funds to provide for these services.

10

11 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER
13 SCHOOL EMPLOYEES. Employees who, in addition to working during the regular
14 school term, also work during summer months shall be authorized as additional
15 compensation an amount not to exceed 1/12 of their annual salary for each
16 month or part thereof worked. Such additional compensation shall not be
17 construed as exceeding the maximum salary authorized for said employees.

18 Payment of additional compensation shall be limited to employees in the
19 following classifications:

20	SUMMER SCHOOL POSITIONS	GRADE
21	Teacher for the Sens Imp I	17
22	Teacher for the Sens Imp II	18
23	Teacher for the Sens Imp III	19
24	Teacher for the Sens Imp IV	20
25	Speech Pathologist II	20
26	Vocational Instructor II	18
27	Vocational Instructor III	19
28	Vocational Instructor IV	20
29	Teacher for Sen Imp Super	22

30

31 SECTION 11. SPECIAL LANGUAGE. SPECIAL ALLOWANCE. The Arkansas Schools for
32 the Deaf and Blind may make special allowances available to any employee who
33 performs one of the following duties in addition to their normal duties:

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

1 outside of the normal working day.

2 4) Interpretive Services

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

5
6 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADDITIONAL
8 SALARY/COMPENSATION PROVISION. No employee drawing a salary or other form of
9 compensation from the Arkansas Schools for the Deaf or Blind shall be paid an
10 additional salary or receive additional compensation, other than reimbursement
11 for actual expenses, from that agency, nor from any other agency or
12 institution of higher education, except from the Superintendent's written
13 certification to and approval by the Chief Fiscal Officer of the State that
14 the work performed by the employee for the other position does not interfere
15 with the proper and required performance of the employee's primary duties, and
16 that the combined salary payments from both positions will not exceed the
17 maximum annual salary for whichever of the two positions has the higher
18 authorized maximum annual salary.

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

25
26 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHIFT
28 DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not
29 earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

30
31 SECTION 14. SPECIAL LANGUAGE. TEACHERS FOR SENSORY IMPAIRED ENTERING
32 STATE SERVICE. Upon the superintendent's certification to the State Personnel
33 Administrator of prior service at an educational institution and most recent
34 contractual salary, the salary of teachers holding certification in teaching
35 the hearing impaired and entering state service as teachers for the sensory
36 impaired may be adjusted to a rate of pay closest to but not less than their

1 most recent annual salary.

2

3 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
5 RATE OF PAY. The Arkansas School for the Deaf is hereby authorized to pay
6 employees hired in the position of teacher for the sensory impaired or senior
7 audiologist for the yearly school term the maximum annual salary rate
8 established for each position.

9

10 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
12 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
13 Arkansas School for the Deaf shall transfer appropriation from Item No. (09)
14 Summer Projects, in Section 3 of this Act, to Item No. (01) through Item No.
15 (5) in Section 3 of this Act, to compensate Teachers, Houseparents, Food
16 Service, Nursing Staff, and any other necessary staff who work during the
17 summer months on summer projects, and to cover other expenses of summer
18 project activities and to compensate coaches and organization sponsors as
19 referenced in Section 11 of this Act.

20

21 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SIGN
23 LANGUAGE PROFICIENCY INTERVIEW. The Arkansas School for the Deaf is hereby
24 authorized, after prior review by the Arkansas Legislative Council and
25 approval of the Chief Fiscal Officer of the State, to grant a 2.5 percent
26 (2.5%) salary bonus payment to employees meeting the required level of Sign
27 Language Communication Proficiency Interview (SCPI) for the employee's current
28 position. The bonus payment will be awarded upon submission of documented
29 proof of such certification to the Office of Personnel Management, provided
30 the employee's most recent performance evaluation results in a satisfactory
31 rating. New and probationary employees shall be eligible for bonus payments
32 after their probationary period expires, provided that the above requirements
33 are met. Employees are eligible for only one bonus payment for the 1999-2001
34 biennium as authorized by this subsection.

35

36 SECTION 18. SPECIAL LANGUAGE. DUAL POSITION OCCUPANCY. The Board of

1 Trustees for the School for the Blind and the School for the Deaf shall employ
2 and maintain a separate Superintendent and Secondary Principal as authorized
3 by law for each school. In no event shall any one person employed as a
4 Superintendent or Principal for either school occupy more than one position at
5 one time.

6
7 SECTION 19. 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 and
13 appropriations to the paying account from either school to serve both schools
14 in the areas of Accounting, Personnel, Inventory, Safety and Health Services.

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

22
23 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
24 by this act shall be limited to the appropriation for such agency and funds
25 made available by law for the support of such appropriations; and the
26 restrictions of the State Purchasing Law, the General Accounting and Budgetary
27 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures
28 and Restrictions Act, the Higher Education Expenditures Restrictions Act, or
29 their successors, and other fiscal control laws of this State, where
30 applicable, and regulations promulgated by the Department of Finance and
31 Administration, as authorized by law, shall be strictly complied with in
32 disbursement of said funds.

33
34 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General Assembly
35 that any funds disbursed under the authority of the appropriations contained
36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations
2 and Legislative Recommendations contained in the budget manuals prepared by
3 the Department of Finance and Administration, letters, or summarized oral
4 testimony in the official minutes of the Arkansas Legislative Council or Joint
5 Budget Committee which relate to its passage and adoption.

6
7 SECTION 22. CODE. All provisions of this Act of a general and permanent
8 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
9 Code Revision Commission shall incorporate the same in the Code.

10
11 SECTION 23. SEVERABILITY. If any provision of this act or the application
12 thereof to any person or circumstance is held invalid, such invalidity shall
13 not affect other provisions or applications of the act which can be given
14 effect without the invalid provision or application, and to this end the
15 provisions of this act are declared to be severable.

16
17 SECTION 24. GENERAL REPEALER. All laws and parts of laws in conflict with
18 this act are hereby repealed.

19
20 SECTION 25. EMERGENCY CLAUSE. It is hereby found and determined by the
21 Eighty-second General Assembly, that the Constitution of the State of Arkansas
22 prohibits the appropriation of funds for more than a two (2) year period; that
23 the effectiveness of this Act on July 1, 1999 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the Regular Session, the delay in the effective
26 date of this Act beyond July 1, 1999 could work irreparable harm upon the
27 proper administration and provision of essential governmental programs.
28 Therefore, an emergency is hereby declared to exist and this Act being
29 necessary for the immediate preservation of the public peace, health and
30 safety shall be in full force and effect from and after July 1, 1999.

31
32 /s/ Joint Budget Committee
33
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36