

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

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



01222003KCA1347.KCA504

| 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 | FISCAL YEARS | |
|---------------------------|-------------------|-------------------|
| <u>NO.</u> | <u>2003-2004</u> | <u>2004-2005</u> |
| (01) BRAILLE TEXTBOOKS | \$ 125,000 | \$ 125,000 |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 125,000</u> | <u>\$ 125,000</u> |

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 | FISCAL YEARS | |
|------------------------------|-------------------|-------------------|
| <u>NO.</u> | <u>2003-2004</u> | <u>2004-2005</u> |
| (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. | <u>0</u> | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 160,000</u> | <u>\$ 160,000</u> |

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.

6
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*
32
33
34
35
36

1

2

3