

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 86th General Assembly
3 Regular Session, 2007
4

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 2009; 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 2007-2009
19 BIENNIUM.
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22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Education - Arkansas School for the Blind for the 2007-2009
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



Item	Class		Maximum	Maximum Annual	
No.	Code	Title	No. of	Salary Rate	
			Employees	Fiscal Years	
				2007-2008	2008-2009
5	(1)	9948 ED SUPT BLIND SCHOOL	1	\$83,309	\$84,975
6	(2)	E015 ED SCHOOL PRINCIPAL	2	GRADE	23
7	(3)	A032 AGENCY FISCAL MANAGER	1	GRADE	22
8	(4)	909Z PROGRAM SUPPORT MANAGER	1	GRADE	22
9	(5)	L030 DIETARY SERVICES DIRECTOR	1	GRADE	21
10	(6)	R298 AGENCY PROGRAM COORDINATOR	1	GRADE	21
11	(7)	L070 NURSE II	1	GRADE	20
12	(8)	E077 TEACHER F/T SENSORY IMPAIRED IV	18	GRADE	20
13	(9)	E136 ORIENTATION & MOBILITY SPECIALIST	2	GRADE	19
14	(10)	A110 ACCOUNTANT II	1	GRADE	19
15	(11)	E039 LIBRARIAN III	2	GRADE	19
16	(12)	E063 TEACHER F/T SENSORY IMPAIRED III	23	GRADE	19
17	(13)	R030 ASST PERSONNEL MANAGER	1	GRADE	19
18	(14)	R264 MANAGEMENT PROJECT ANALYST I	1	GRADE	18
19	(15)	M039 HOUSEPARENT SUPERVISOR	2	GRADE	17
20	(16)	R010 ADMINISTRATIVE ASSISTANT II	2	GRADE	17
21	(17)	L115 LPN II/LPTN II	2	GRADE	15
22	(18)	M034 HOUSEPARENT II	16	GRADE	15
23	(19)	K153 SECRETARY II	2	GRADE	13
24	(20)	G115 NURSERY ASST & GROUNDSKEEPER SUPV	2	GRADE	13
25	(21)	E027 INSTITUTIONAL TEACHER ASSISTANT	4	GRADE	13
26	(22)	G111 MAINT WORK PLANNER & SCHEDULER	1	GRADE	11
27	(23)	K155 SECRETARY I	1	GRADE	11
28	(24)	H005 BAKER II	1	GRADE	10
29	(25)	H027 COOK II	3	GRADE	10
30	(26)	H053 FOOD SERVICE WORKER III	1	GRADE	08
31	(27)	H043 FOOD SERVICE WORKER II	5	GRADE	05
32	(28)	G035 CUSTODIAL WRKR II	3	GRADE	04
33	(29)	G075 HOUSEKEEPER	<u>1</u>	GRADE	04
34		MAX. NO. OF EMPLOYEES	102		

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

1 Education - Arkansas School for the Blind for the 2007-2009 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.

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 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, 2009, the
 13 following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
(01) REGULAR SALARIES	\$ 3,314,972	\$ 3,381,231
(02) EXTRA HELP	15,000	15,000
(03) PERSONAL SERVICES MATCHING	1,128,375	1,142,767
(04) OVERTIME	20,000	20,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	777,500	777,500
(B) CONF. & TRAVEL	17,015	17,015
(C) PROF. FEES	100,000	100,000
(D) CAP. OUTLAY	25,000	25,000
(E) DATA PROC.	0	0
(06) SPECIAL MAINTENANCE	250,000	250,000
(07) VOCATIONAL WORKSTUDY	10,000	10,000
(08) SUMMER PROJECTS	<u>90,000</u>	<u>90,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,747,862</u>	<u>\$ 5,828,513</u>

31
 32 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 33 appropriated, to the Department of Education - Arkansas School for the Blind,
 34 to be payable from the federal funds as designated by the Chief Fiscal
 35 Officer of the State, for personal services and operating expenses of the
 36 Department of Education - Arkansas School for the Blind - Federal Operations

1 for the biennial period ending June 30, 2009, the following:

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3 ITEM	FISCAL YEARS	
	4 NO.	2007-2008
5 (01) REGULAR SALARIES	\$ 172,908	\$ 176,363
6 (02) EXTRA HELP	15,000	15,000
7 (03) PERSONAL SERVICES MATCHING	63,897	64,644
8 (04) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSE	186,050	186,050
10 (B) CONF. & TRAVEL	56,382	56,382
11 (C) PROF. FEES	118,432	118,432
12 (D) CAP. OUTLAY	104,000	104,000
13 (E) DATA PROC.	<u>0</u>	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 716,669</u>	<u>\$ 720,871</u>

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16 SECTION 5. APPROPRIATIONS - CASH OPERATIONS. There is hereby
 17 appropriated, to the Department of Education - Arkansas School for the Blind,
 18 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 19 Department of Education - Arkansas School for the Blind, for operating
 20 expenses of the Department of Education - Arkansas School for the Blind -
 21 Cash Operations for the biennial period ending June 30, 2009, the following:

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23 ITEM	FISCAL YEARS	
	24 NO.	2007-2008
25 (01) MAINT. & GEN. OPERATION		
26 (A) OPER. EXPENSE	\$ 186,508	\$ 186,508
27 (B) CONF. & TRAVEL	13,000	13,000
28 (C) PROF. FEES	100,000	100,000
29 (D) CAP. OUTLAY	50,000	50,000
30 (E) DATA PROC.	0	0
31 (02) SPECIAL MAINTENANCE	<u>75,000</u>	<u>75,000</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$ 424,508</u>	<u>\$ 424,508</u>

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34 SECTION 6. APPROPRIATION - BRAILLE TEXTBOOKS. There is hereby
 35 appropriated, to the Department of Education - Arkansas School for the Blind,
 36 to be payable from the School for the Blind Fund Account, for purchase of

1 Braille and large print textbooks for the blind and visually impaired
 2 students attending the public schools in Arkansas of the Department of
 3 Education - Arkansas School for the Blind - Braille Textbooks for the
 4 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) BRAILLE TEXTBOOKS	\$ 175,000	\$ 175,000

10 SECTION 7. APPROPRIATION - MEDICAID PROVIDER PROGRAM - FEDERAL. There is
 11 hereby appropriated, to the Department of Education - Arkansas School for the
 12 Blind, 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 - Federal for the
 15 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 55,000	\$ 55,000
(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>195,000</u>	\$ <u>195,000</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~~ staff who work during the summer months on summer
 34 projects, and to cover other expenses of summer project activities and to
 35 compensate ~~coaches and organization sponsors~~ employees as referenced in
 36 Section 9 of this Act and to compensate eligible staff for shift differential

1 pay. Such additional compensation shall not be construed as exceeding the
 2 maximum salary authorized for said employees.

3 The provisions of this section shall be in effect only from July 1, 2005
 4 2007 through June 30, ~~2007~~ 2009.

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 6 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 8 ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special
 9 allowances available to any employee who performs one of the following duties
 10 in addition to their normal duties:

- 11 1) Teaching adult education classes, parent training, student tutorial
- 12 services on weekends or evenings
- 13 2) Coaching one or more sports
- 14 3) Sponsoring a club or organization that involves additional hours outside
- 15 of the normal working day
- 16 4) Interpretive Services

17 Compensation for additional duties may not exceed ~~\$3,000~~ \$3,500 per school
 18 term for any one employee during each fiscal year. Such pay shall not be
 19 construed as exceeding the maximum salary authorized for said position.

20 The provisions of this section shall be in effect only from July 1, 2005
 21 2007 through June 30, ~~2007~~ 2009.

22
 23 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 25 ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or
 26 other form of compensation from the Arkansas Schools for the Deaf or Blind
 27 shall be paid an additional salary or receive additional compensation, other
 28 than reimbursement for actual expenses, from that agency, nor from any other
 29 agency or institution of higher education, except from the Superintendent's
 30 written certification to and approval by the Chief Fiscal Officer of the
 31 State that the work performed by the employee for the other position does not
 32 interfere with the proper and required performance of the employee's primary
 33 duties, and that the combined salary payments from both positions will not
 34 exceed the maximum annual salary for whichever of the two positions has the
 35 higher authorized maximum annual salary.

36 Any employee knowingly violating the provisions of this section shall be

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

6 The provisions of this section shall be in effect only from July 1, 2005
 7 2007 through June 30, ~~2007~~ 2009.

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 9 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
 11 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are
 12 authorized to establish a joint paying account in the State Treasury, upon
 13 direction of the Board of Trustees for the Arkansas School for the Blind and
 14 the Arkansas School for the Deaf. The Board may transfer positions, funds
 15 and appropriations to the paying account from either school to serve both
 16 schools in the areas of Accounting, Personnel, Inventory, Safety and Health
 17 Services.

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

25 The provisions of this section shall be in effect only from July 1, 2005
 26 2007 through June 30, ~~2007~~ 2009.

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 28 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BRAILLE
 30 AND LARGE PRINT TEXTBOOKS. The State Board of Education shall make reasonable
 31 rules 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.

34 The provisions of this section shall be in effect only from July 1, 2005
 35 2007 through June 30, ~~2007~~ 2009.

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

SUMMER SCHOOL POSITIONS	GRADE
Teacher for the Sens Imp I	17
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

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHERS FOR SENSORY IMPAIRED ENTERING STATE SERVICE. 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 visually 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.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER SALARY INCREASE. In the event that an act is enacted in which the public schools receive funds from the General Assembly to raise the salaries of teachers employed in the public school districts, the Arkansas School for the Deaf and the Arkansas School for the Blind shall be included.

1 The provisions of this section shall be in effect only from July 1, 2005
2 2007 through June 30, ~~2007~~ 2009.

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4 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
6 RATES OF PAY. Due to the need to meet the minimum compensation schedule as
7 established by Act 74 of the 2nd Extraordinary Session of the 84th General
8 Assembly, or its successor, for public school teachers, counselors, and
9 librarians and other education professionals as listed in subsection (a)
10 below, the Arkansas School for the Blind is authorized to adjust current or
11 new employees to at least the minimum level of compensation for public school
12 employees.

13 For current or new employees in the positions listed in subsection (a) below,
14 the Arkansas School for the Blind may implement salary adjustments to
15 maintain equity between their teacher salaries and those of Central Arkansas
16 Public School Systems only after a plan for determining and implementing
17 those adjustments has been reviewed by the Office of Personnel Management and
18 by the Personnel Committee of the Arkansas Legislative Council and approved
19 by the Chief Fiscal Officer of the State.

20 For purposes of implementing the plan, the Arkansas School for the Blind is
21 authorized special rates of pay up to Pay Level IV for classifications listed
22 in subsection (a) below.

23 (a) CLASS

24	CODE TITLE	GRADE
25	E059 Teacher for the Sensory Impaired I	17
26	E061 Teacher for the Sensory Impaired II	18
27	E063 Teacher for the Sensory Impaired III	19
28	E077 Teacher for the Sensory Impaired IV	20
29	E080 Vocational Instructor I	17
30	E082 Vocational Instructor II	18
31	E076 Vocational Instructor III	19
32	E078 Vocational Instructor IV	20
33	E136 Orientation and Mobility Specialist	19
34	E036 Librarian I	17
35	E037 Librarian II	18
36	E039 Librarian III	19

1 M026 Counselor I 18
2 M028 Counselor II 20
3 E057 Teacher for the Sensory Impaired Supv. 22
4 E015 Education Principal 23

5 Funding for the minimum compensation provided for in this section that is
6 supported in whole or in part from general revenues, shall, if required, be
7 provided by a transfer from the Merit Adjustment Fund to the proper fund or
8 fund account and in such amounts as determined by the Chief Fiscal Officer of
9 the State. The Arkansas School for the Blind shall, in addition to the funds
10 provided in this Act for Annual Career Service Recognition Payments from the
11 Merit Adjustment Fund, make available any funding generated from agency
12 salary savings for such purposes from the funds or fund accounts as provided
13 by law. The provisions of this section shall be in effect only from July 1,
14 ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

15
16 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
17 by this act shall be limited to the appropriation for such agency and funds
18 made available by law for the support of such appropriations; and the
19 restrictions of the State Procurement Law, the General Accounting and
20 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
21 Procedures and Restrictions Act, or their successors, and other fiscal
22 control laws of this State, where applicable, and regulations promulgated by
23 the Department of Finance and Administration, as authorized by law, shall be
24 strictly complied with in disbursement of said funds.

25
26 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General Assembly
27 that any funds disbursed under the authority of the appropriations contained
28 in this act shall be in compliance with the stated reasons for which this act
29 was adopted, as evidenced by the Agency Requests, Executive Recommendations
30 and Legislative Recommendations contained in the budget manuals prepared by
31 the Department of Finance and Administration, letters, or summarized oral
32 testimony in the official minutes of the Arkansas Legislative Council or
33 Joint Budget Committee which relate to its passage and adoption.

34
35 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a two (2) year period; that the
2 effectiveness of this Act on July 1, 2007 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the Regular Session, the delay in the effective
5 date of this Act beyond July 1, 2007 could work irreparable harm upon the
6 proper administration and provision of essential governmental programs.
7 Therefore, an emergency is hereby declared to exist and this Act being
8 necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 2007.

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