

1 State of Arkansas  
2 87th General Assembly  
3 Fiscal Session, 2010

# A Bill

HOUSE BILL 1045

4  
5 By: Joint Budget Committee  
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## 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 DEAF FOR THE FISCAL YEAR ENDING JUNE 30, 2011;  
13 AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
17 ARKANSAS SCHOOL FOR THE DEAF  
18 APPROPRIATION FOR THE 2010-2011 FISCAL  
19 YEAR.  
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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 Deaf for the 2010-2011  
27 fiscal year, 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.  
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1				Maximum Annual	
2				Salary Rate	
3	Item	Class	No. of	Fiscal Year	
4	No.	Code	Title	Employees	2010-2011
5	(1)	U029U	DEAF SCHOOL SUPERINTENDENT	1	\$91,275
6	(2)	L003C	PSYCHOLOGIST	1	GRADE C127
7	(3)	A020C	ASD/ASB BUSINESS MANAGER	1	GRADE C126
8	(4)	E004C	SCHOOL PRINCIPAL	2	GRADE C126
9	(5)	L012C	ASD SPECIALTY PROGRAM DIRECTOR	1	GRADE C125
10	(6)	M004C	RESIDENTIAL OPERATIONS MANAGER	1	GRADE C125
11	(7)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
12	(8)	E017C	ASST PRINCIPAL	1	GRADE C123
13	(9)	E015C	SPECIAL EDUCATION SUPERVISOR	1	GRADE C123
14	(10)	R014C	PERSONNEL MANAGER	1	GRADE C121
15	(11)	L033C	PSYCHOLOGICAL EXAMINER	2	GRADE C121
16	(12)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
17	(13)	E025C	EDUCATIONAL SPECIALIST	4	GRADE C120
18	(14)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
19	(15)	L038C	REGISTERED NURSE	1	GRADE C120
20	(16)	S009C	ASD/ASB TRANSPORTATION SERVICES COORD	1	GRADE C119
21	(17)	L045C	AUDIOLOGIST	2	GRADE C119
22	(18)	E036C	CERTIFIED MASTERS DEGREE LIBRARIAN	1	GRADE C119
23	(19)	E035C	CERTIFIED MASTERS TEACHER	45	GRADE C119
24	(20)	E032C	EDUCATION COUNSELOR	2	GRADE C119
25	(21)	L042C	SCHOOL SPEECH PATHOLOGIST	4	GRADE C119
26	(22)	E029C	SIGN LANGUAGE COORDINATOR	1	GRADE C119
27	(23)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
28	(24)	A082C	ACCOUNTANT II	1	GRADE C117
29	(25)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
30	(26)	S019C	DIRECTOR MAINTENANCE	1	GRADE C117
31	(27)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
32	(28)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
33	(29)	S031C	SKILLED TRADESMAN	4	GRADE C115
34	(30)	M064C	RESIDENTIAL ACTIVITIES SUPERVISOR	3	GRADE C114
35	(31)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
36	(32)	S047C	LANDSCAPE SUPERVISOR	1	GRADE C113

1	(33)	L069C	LICENSED PRACTICAL NURSE	3	GRADE C113
2	(34)	S046C	MAINTENANCE TECHNICIAN	4	GRADE C113
3	(35)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
4	(36)	A098C	FISCAL SUPPORT SPECIALIST	3	GRADE C112
5	(37)	C058C	EDUCATION PARAPROFESSIONAL	6	GRADE C111
6	(38)	M074C	RESIDENTIAL ADVISOR	29	GRADE C111
7	(39)	R038C	HUMAN RESOURCES ASSISTANT	1	GRADE C110
8	(40)	T084C	PUBLIC SAFETY SECURITY OFFICER	2	GRADE C110
9	(41)	C073C	ADMINISTRATIVE SPECIALIST II	8	GRADE C109
10	(42)	S062C	INSTITUTIONAL BUS DRIVER	1	GRADE C109
11	(43)	C069C	LIBRARY TECHNICIAN	1	GRADE C109
12	(44)	S068C	FOOD PREPARATION COORDINATOR	4	GRADE C108
13	(45)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
14	(46)	S065C	MAINTENANCE ASSISTANT	6	GRADE C108
15	(47)	S086C	COOK	13	GRADE C104
16	(48)	S087C	INSTITUTIONAL SERVICES ASSISTANT	<u>1</u>	GRADE C103
17			MAX. NO. OF EMPLOYEES	176	

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19 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of  
 20 Education - Arkansas School for the Deaf for the 2010-2011 fiscal year, the  
 21 following maximum number of part-time or temporary employees, to be known as  
 22 "Extra Help", payable from funds appropriated herein for such purposes:  
 23 fifty-five (55) temporary or part-time employees, when needed, at rates of  
 24 pay not to exceed those provided in the Uniform Classification and  
 25 Compensation Act, or its successor, or this act for the appropriate  
 26 classification.

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28 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,  
 29 to the Department of Education - Arkansas School for the Deaf, to be payable  
 30 from the School for the Deaf Fund Account, for personal services and  
 31 operating expenses of the Department of Education - Arkansas School for the  
 32 Deaf - State Operations for the fiscal year ending June 30, 2011, the  
 33 following:

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35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2010-2011</u>

1	(01)	REGULAR SALARIES	\$ 6,028,822
2	(02)	EXTRA HELP	100,000
3	(03)	PERSONAL SERVICES MATCHING	2,182,099
4	(04)	OVERTIME	25,000
5	(05)	MAINT. & GEN. OPERATION	
6	(A)	OPER. EXPENSE	1,801,305
7	(B)	CONF. & TRAVEL	25,000
8	(C)	PROF. FEES	100,000
9	(D)	CAP. OUTLAY	65,000
10	(E)	DATA PROC.	0
11	(06)	SPECIAL MAINTENANCE	450,000
12	(07)	VOCATIONAL WORKSTUDY	7,500
13	(08)	SIGN LANG. COMMUNICATION PROFICIENCY	
14		INTERVIEW/AMERICAN SIGN LANGUAGE	265,000
15	(09)	MISCELLANEOUS ACTIVITIES	<u>200,000</u>
16		TOTAL AMOUNT APPROPRIATED	<u>\$ 11,249,726</u>

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18 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby

19 appropriated, to the Department of Education - Arkansas School for the Deaf,

20 to be payable from the federal funds as designated by the Chief Fiscal

21 Officer of the State, for personal services and operating expenses of the

22 Department of Education - Arkansas School for the Deaf - Federal Operations

23 for the fiscal year ending June 30, 2011, the following:

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2010-2011</u>
27	(01) REGULAR SALARIES	\$ 442,613
28	(02) EXTRA HELP	40,000
29	(03) PERSONAL SERVICES MATCHING	155,777
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	240,909
32	(B) CONF. & TRAVEL	62,111
33	(C) PROF. FEES	286,200
34	(D) CAP. OUTLAY	129,500
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,357,110</u>

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SECTION 5. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated, to the Department of Education - Arkansas School for the Deaf, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Education - Arkansas School for the Deaf, for operating expenses of the Department of Education - Arkansas School for the Deaf - Cash Operations for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 147,136
(B) CONF. & TRAVEL	25,000
(C) PROF. FEES	50,000
(D) CAP. OUTLAY	75,000
(E) DATA PROC.	0
(02) SPECIAL MAINTENANCE	<u>145,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 442,136</u>

SECTION 6. 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
Certified Bachelor's Teacher	C117
Certified Masters Teacher	C119
School Speech Pathologist	C119
School Principal	C126
Assistant Principal	C123
Teacher Supervisor	C120
Educational Specialist	C120

1 The provisions of this section shall be in effect only from July 1, 2007  
2 2010 through June 30, ~~2009~~ 2011.

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

9 1) Teaching adult education classes, parent training, student tutorial  
10 services 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 \$3,500 per school term  
16 for any one employee during each fiscal year. Such additional compensation  
17 shall not be construed as exceeding the maximum salary authorized for said  
18 employee.

19 The provisions of this section shall be in effect only from July 1, 2007  
20 2010 through June 30, ~~2009~~ 2011.

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22 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
24 ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or  
25 other form of compensation from the Arkansas Schools for the Deaf or Blind  
26 shall be paid an additional salary or receive additional compensation, other  
27 than reimbursement for actual expenses, from that agency, nor from any other  
28 agency or institution of higher education, except from the Superintendent's  
29 written certification to and approval by the Chief Fiscal Officer of the  
30 State that the work performed by the employee for the other position does not  
31 interfere with the proper and required performance of the employee's primary  
32 duties, and that the combined salary payments from both positions will not  
33 exceed the maximum annual salary for whichever of the two positions has the  
34 higher authorized maximum annual salary.

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

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

5 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 6 2010 through June 30, ~~2009~~ 2011.

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 8 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHIFT  
 10 DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not  
 11 earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

12 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 13 2010 through June 30, ~~2009~~ 2011.

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 15 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CERTIFIED  
 17 MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the  
 18 superintendent's certification to the State Personnel Administrator of prior  
 19 service at an educational institution, the salary of teachers entering state  
 20 service as teachers may be adjusted to a rate of pay closest to but not less  
 21 than the annual salary they would have received from their previous employer,  
 22 effective upon employment at ASD.

23 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 24 2010 through June 30, ~~2009~~ 2011.

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 26 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 28 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the  
 29 Arkansas School for the Deaf shall transfer appropriation from the  
 30 Miscellaneous Activities line item in this Act, to Item No. (01) through Item  
 31 No. (05) in Section 3 of this Act, to compensate staff who work during the  
 32 summer months on summer projects and to cover other expenses of summer  
 33 project activities. The Miscellaneous Activities line item may also be used  
 34 for the annual cost related to the payment of contracted interpreter  
 35 services, compensation of eligible staff for shift differential pay, and  
 36 compensation of employees for performance of duties assigned as referenced in

1 Section 7 of this Act. Such additional compensation shall not be construed  
 2 as exceeding the maximum salary authorized for said employees.

3 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 4 2010 through June 30, ~~2009~~ 2011.

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6 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 8 MAINTENANCE/TRANSPORTATION/SECURITY. The Arkansas School for the Deaf shall  
 9 be responsible for providing maintenance, transportation, and security for  
 10 the Arkansas School for the Blind. The Arkansas School for the Deaf is  
 11 authorized to spend general revenue funds to provide for these services.

12 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 13 2010 through June 30, ~~2009~~ 2011.

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

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

31 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 32 2010 through June 30, ~~2009~~ 2011.

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34 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER  
 36 SALARY INCREASE. In the event that an act is enacted in which the public



1 schools receive funds from the General Assembly to raise the salaries of  
2 teachers employed in the public school districts, the Arkansas School for the  
3 Deaf and the Arkansas School for the Blind shall be included.

4 The provisions of this section shall be in effect only from July 1, ~~2007~~  
5 2010 through June 30, ~~2009~~ 2011.

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7 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
9 RATES OF PAY. Due to the need to meet the minimum compensation schedule as  
10 established by Act 74 of the 2nd Extraordinary Session of the 84th General  
11 Assembly, or its successor, for public school teachers, counselors, and  
12 librarians and other education professionals as listed in subsection (a)  
13 below, the Arkansas School for the Deaf is authorized to adjust current or  
14 new employees to at least the minimum level of compensation for public school  
15 employees.

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

23 For purposes of implementing the plan, the Arkansas School for the Deaf is  
24 authorized special rates of pay up to the maximum of the assigned grade for  
25 classifications listed in subsection (a) below.

(a) TITLE	GRADE
Certified Bachelors Teacher	C117
Certified Masters Teacher	C119
Certified Masters Degree Librarian	C119
Education Counselor	C119
School Speech Pathologist	C119
School Principal	C126
Assistant Principal	C123
Teacher Supervisor	C120
Educational Specialist	C120

36 Funding for the minimum compensation provided for in this section that is

1 supported in whole or in part from general revenues, shall, if required, be  
 2 provided by a transfer from the Merit Adjustment Fund to the proper fund or  
 3 fund account and in such amounts as determined by the Chief Fiscal Officer of  
 4 the State. The Arkansas School for the Deaf shall, in addition to the funds  
 5 provided in this Act for Annual Career Service Recognition Payments from the  
 6 Merit Adjustment Fund, make available any funding generated from agency  
 7 salary savings for such purposes from the funds or fund accounts as provided  
 8 by law.

9 The provisions of this section shall be in effect only from July 1,  
 10 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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

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 22 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 23 that any funds disbursed under the authority of the appropriations contained  
 24 in this act shall be in compliance with the stated reasons for which this act  
 25 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 26 and Legislative Recommendations contained in the budget manuals prepared by  
 27 the Department of Finance and Administration, letters, or summarized oral  
 28 testimony in the official minutes of the Arkansas Legislative Council or  
 29 Joint Budget Committee which relate to its passage and adoption.

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 31 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General  
 32 Assembly, that the Constitution of the State of Arkansas prohibits the  
 33 appropriation of funds for more than a one (1) year period; that the  
 34 effectiveness of this Act on July 1, 2010 is essential to the operation of  
 35 the agency for which the appropriations in this Act are provided, and that in  
 36 the event of an extension of the legislative session, the delay in the

effective date of this Act beyond July 1, 2010 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2010.

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