

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1120

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 EDUCATION - ARKANSAS SCHOOL FOR THE DEAF FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 ARKANSAS SCHOOL FOR THE DEAF
17 APPROPRIATION FOR THE 2013-2014 FISCAL
18 YEAR.
19
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Education - Arkansas School for the Deaf for the 2013-2014
26 fiscal year, the following maximum number of regular employees.
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
32	(1) U029U	DEAF SCHOOL SUPERINTENDENT	1	\$97,088
33	(2) L003C	PSYCHOLOGIST	1	GRADE C127
34	(3) A020C	ASD/ASB BUSINESS MANAGER	1	GRADE C126
35	(4) E004C	SCHOOL PRINCIPAL	2	GRADE C126
36	(5) L012C	ASD SPECIALTY PROGRAM DIRECTOR	1	GRADE C125



1	(6)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
2	(7)	E017C	ASST PRINCIPAL	1	GRADE C123
3	(8)	E015C	SPECIAL EDUCATION SUPERVISOR	1	GRADE C123
4	(9)	L027C	REGISTERED NURSE SUPERVISOR	1	GRADE C122
5	(10)	R014C	PERSONNEL MANAGER	1	GRADE C121
6	(11)	L033C	PSYCHOLOGICAL EXAMINER	1	GRADE C121
7	(12)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
8	(13)	E025C	EDUCATIONAL SPECIALIST	4	GRADE C120
9	(14)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
10	(15)	L038C	REGISTERED NURSE	1	GRADE C120
11	(16)	S009C	ASD/ASB TRANSPORTATION SVCS COORD	1	GRADE C119
12	(17)	L045C	AUDIOLOGIST	1	GRADE C119
13	(18)	S008C	CAMPUS MAINTENANCE SUPERVISOR	1	GRADE C119
14	(19)	E036C	CERTIFIED MASTERS DEGREE LIBRARIAN	1	GRADE C119
15	(20)	E035C	CERTIFIED MASTERS TEACHER	37	GRADE C119
16	(21)	E032C	EDUCATION COUNSELOR	2	GRADE C119
17	(22)	M020C	LICENSED PROFESSIONAL COUNSELOR	1	GRADE C119
18	(23)	L042C	SCHOOL SPEECH PATHOLOGIST	4	GRADE C119
19	(24)	E029C	SIGN LANGUAGE COORDINATOR	1	GRADE C119
20	(25)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
21	(26)	M024C	RESIDENTIAL SERVICES MANAGER	1	GRADE C118
22	(27)	A082C	ACCOUNTANT II	1	GRADE C117
23	(28)	D071C	COMPUTER SUPPORT ANALYST	2	GRADE C117
24	(29)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
25	(30)	S031C	SKILLED TRADESMAN	4	GRADE C115
26	(31)	M064C	RESIDENTIAL ACTIVITIES SUPERVISOR	3	GRADE C114
27	(32)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
28	(33)	S047C	LANDSCAPE SUPERVISOR	1	GRADE C113
29	(34)	L069C	LICENSED PRACTICAL NURSE	2	GRADE C113
30	(35)	S046C	MAINTENANCE TECHNICIAN	5	GRADE C113
31	(36)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
32	(37)	A098C	FISCAL SUPPORT SPECIALIST	3	GRADE C112
33	(38)	C058C	EDUCATION PARAPROFESSIONAL	8	GRADE C111
34	(39)	M074C	RESIDENTIAL ADVISOR	30	GRADE C111
35	(40)	R038C	HUMAN RESOURCES ASSISTANT	1	GRADE C110
36	(41)	T084C	PUBLIC SAFETY SECURITY OFFICER	2	GRADE C110

1	(42)	C073C	ADMINISTRATIVE SPECIALIST II	8	GRADE C109
2	(43)	S062C	INSTITUTIONAL BUS DRIVER	1	GRADE C109
3	(44)	C069C	LIBRARY TECHNICIAN	1	GRADE C109
4	(45)	S068C	FOOD PREPARATION COORDINATOR	4	GRADE C108
5	(46)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
6	(47)	S065C	MAINTENANCE ASSISTANT	6	GRADE C108
7	(48)	S086C	COOK	12	GRADE C104
8	(49)	S087C	INSTITUTIONAL SERVICES ASSISTANT	<u>1</u>	GRADE C103
9			MAX. NO. OF EMPLOYEES	170	

10

11 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 12 of Education - Arkansas School for the Deaf for the 2013-2014 fiscal year,
 13 the following maximum number of part-time or temporary employees, to be known
 14 as "Extra Help", payable from funds appropriated herein for such purposes:
 15 fifty-five (55) temporary or part-time employees, when needed, at rates of
 16 pay not to exceed those provided in the Uniform Classification and
 17 Compensation Act, or its successor, or this act for the appropriate
 18 classification.

19

20 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 21 appropriated, to the Department of Education - Arkansas School for the Deaf,
 22 to be payable from the School for the Deaf Fund Account, for personal
 23 services and operating expenses of the Department of Education - Arkansas
 24 School for the Deaf - State Operations for the fiscal year ending June 30,
 25 2014, the following:

26

27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2013-2014</u>
29	(01) REGULAR SALARIES	\$6,024,043
30	(02) EXTRA HELP	99,325
31	(03) PERSONAL SERVICES MATCHING	2,279,533
32	(04) OVERTIME	25,000
33	(05) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	1,808,890
35	(B) CONF. & TRAVEL	21,500
36	(C) PROF. FEES	100,000

1	(D) CAP. OUTLAY	65,000
2	(E) DATA PROC.	0
3	(06) SPECIAL MAINTENANCE	450,000
4	(07) VOCATIONAL WORKSTUDY	7,500
5	(08) SIGN LANG. COMMUNICATION PROFICIENCY	
6	INTERVIEW/AMERICAN SIGN LANGUAGE	265,000
7	(09) MISCELLANEOUS ACTIVITIES	<u>110,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$11,255,791</u></u>

9

10 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 11 appropriated, to the Department of Education - Arkansas School for the Deaf,
 12 to be payable from the federal funds as designated by the Chief Fiscal
 13 Officer of the State, for personal services and operating expenses of the
 14 Department of Education - Arkansas School for the Deaf - Federal Operations
 15 for the fiscal year ending June 30, 2014, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2013-2014</u>
19	(01) REGULAR SALARIES	\$138,617
20	(02) EXTRA HELP	40,000
21	(03) PERSONAL SERVICES MATCHING	61,318
22	(04) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	240,909
24	(B) CONF. & TRAVEL	62,111
25	(C) PROF. FEES	286,200
26	(D) CAP. OUTLAY	129,500
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$958,655</u></u>

29

30 SECTION 5. APPROPRIATION - CASH OPERATIONS. There is hereby
 31 appropriated, to the Department of Education - Arkansas School for the Deaf,
 32 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 33 Department of Education - Arkansas School for the Deaf, for operating
 34 expenses of the Department of Education - Arkansas School for the Deaf - Cash
 35 Operations for the fiscal year ending June 30, 2014, the following:

36

1 ITEM	FISCAL YEAR
2 <u>NO.</u>	<u>2013-2014</u>
3 (01) MAINT. & GEN. OPERATION	
4 (A) OPER. EXPENSE	\$147,136
5 (B) CONF. & TRAVEL	25,000
6 (C) PROF. FEES	50,000
7 (D) CAP. OUTLAY	0
8 (E) DATA PROC.	0
9 (02) SPECIAL MAINTENANCE	<u>220,000</u>
10 TOTAL AMOUNT APPROPRIATED	<u><u>\$442,136</u></u>

11

12 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER
 14 SCHOOL EMPLOYEES. Employees who, in addition to working during the regular
 15 school term, also work during summer months shall be authorized as additional
 16 compensation an amount not to exceed 1/12 of their annual salary for each
 17 month or part thereof worked. Such additional compensation shall not be
 18 construed as exceeding the maximum salary authorized for said employees.
 19 Payment of additional compensation shall be limited to employees in the
 20 following classifications:

21 SUMMER SCHOOL POSITIONS	GRADE
22 Certified Bachelor's Teacher	C117
23 Certified Masters Teacher	C119
24 School Speech Pathologist	C119
25 Teacher Supervisor	C120
26 Educational Specialist	C120
27 Assistant Principal	C123
28 School Principal	C126

29 The provisions of this section shall be in effect only from July 1, ~~2012~~
 30 2013 through June 30, ~~2013~~ 2014.

31

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

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

7 Compensation for additional duties may not exceed \$3,500 per school term
8 for any one employee during each fiscal year. Such additional compensation
9 shall not be construed as exceeding the maximum salary authorized for said
10 employee.

11 The provisions of this section shall be in effect only from July 1, ~~2012~~
12 2013 through June 30, ~~2013~~ 2014.

13
14 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

16 ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or
17 other form of compensation from the Arkansas Schools for the Deaf or Blind
18 shall be paid an additional salary or receive additional compensation, other
19 than reimbursement for actual expenses, from that agency, nor from any other
20 agency or institution of higher education, except from the Superintendent's
21 written certification to and approval by the Chief Fiscal Officer of the
22 State that the work performed by the employee for the other position does not
23 interfere with the proper and required performance of the employee's primary
24 duties, and that the combined salary payments from both positions will not
25 exceed the maximum annual salary for whichever of the two positions has the
26 higher authorized maximum annual salary.

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

33 The provisions of this section shall be in effect only from July 1, ~~2012~~
34 2013 through June 30, ~~2013~~ 2014.

35
36 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHIFT
2 DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not
3 earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

4 The provisions of this section shall be in effect only from July 1, ~~2012~~
5 2013 through June 30, ~~2013~~ 2014.

6
7 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CERTIFIED
9 MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the
10 superintendent's certification to the State Personnel Administrator of prior
11 service at an educational institution, the salary of teachers entering state
12 service as teachers may be adjusted to a rate of pay closest to but not less
13 than the annual salary they would have received from their previous employer,
14 effective upon employment at ASD.

15 The provisions of this section shall be in effect only from July 1, ~~2012~~
16 2013 through June 30, ~~2013~~ 2014.

17
18 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
20 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
21 Arkansas School for the Deaf shall transfer appropriation from the
22 Miscellaneous Activities line item in this Act, to Item No. (01) through Item
23 No. (05) in Section 3 of this Act, to compensate staff who work during the
24 summer months on summer projects and to cover other expenses of summer
25 project activities. The Miscellaneous Activities line item may also be used
26 for the annual cost related to the payment of contracted interpreter
27 services, compensation of eligible staff for shift differential pay, and
28 compensation of employees for performance of duties assigned as referenced in
29 Section 7 of this Act. Such additional compensation shall not be construed
30 as exceeding the maximum salary authorized for said employees.

31 The provisions of this section shall be in effect only from July 1, ~~2012~~
32 2013 through June 30, ~~2013~~ 2014.

33
34 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
36 MAINTENANCE/TRANSPORTATION/SECURITY. The Arkansas School for the Deaf shall

1 be responsible for providing maintenance, transportation, and security for
2 the Arkansas School for the Blind. The Arkansas School for the Deaf is
3 authorized to spend general revenue funds to provide for these services.

4 The provisions of this section shall be in effect only from July 1, ~~2012~~
5 2013 through June 30, ~~2013~~ 2014.

6
7 SECTION 13. 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, ~~2012~~
24 2013 through June 30, ~~2013~~ 2014.

25
26 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER
28 SALARY INCREASE. In the event that an act is enacted in which the public
29 schools receive funds from the General Assembly to raise the salaries of
30 teachers employed in the public school districts, the Arkansas School for the
31 Deaf and the Arkansas School for the Blind shall be included.

32 The provisions of this section shall be in effect only from July 1, ~~2012~~
33 2013 through June 30, ~~2013~~ 2014.

34
35 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL

1 RATES OF PAY. Due to the need to meet the minimum compensation schedule as
 2 established by Act 74 of the 2nd Extraordinary Session of the 84th General
 3 Assembly, or its successor, for public school teachers, counselors, and
 4 librarians and other education professionals as listed in subsection (a)
 5 below, the Arkansas School for the Deaf is authorized to adjust current or
 6 new employees to at least the minimum level of compensation for public school
 7 employees.

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

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

18	(a) TITLE	GRADE
19	Certified Bachelors Teacher	C117
20	Certified Masters Teacher	C119
21	Certified Masters Degree Librarian	C119
22	Education Counselor	C119
23	School Speech Pathologist	C119
24	Teacher Supervisor	C120
25	Educational Specialist	C120
26	Assistant Principal	C123
27	School Principal	C126

28 Funding for the minimum compensation provided for in this section that is
 29 supported in whole or in part from general revenues, shall, if required, be
 30 provided by a transfer from the Merit Adjustment Fund to the proper fund or
 31 fund account and in such amounts as determined by the Chief Fiscal Officer of
 32 the State. The Arkansas School for the Deaf shall, in addition to the funds
 33 provided in this Act for Annual Career Service Recognition Payments from the
 34 Merit Adjustment Fund, make available any funding generated from agency
 35 salary savings for such purposes from the funds or fund accounts as provided
 36 by law.

1 The provisions of this section shall be in effect only from July 1, ~~2012~~
2 2013 through June 30, ~~2013~~ 2014.

3
4 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
5 authorized by this act shall be limited to the appropriation for such agency
6 and funds made available by law for the support of such appropriations; and
7 the restrictions of the State Procurement Law, the General Accounting and
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
9 Procedures and Restrictions Act, or their successors, and other fiscal
10 control laws of this State, where applicable, and regulations promulgated by
11 the Department of Finance and Administration, as authorized by law, shall be
12 strictly complied with in disbursement of said funds.

13
14 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General
15 Assembly that any funds disbursed under the authority of the appropriations
16 contained in this act shall be in compliance with the stated reasons for
17 which this act was adopted, as evidenced by the Agency Requests, Executive
18 Recommendations and Legislative Recommendations contained in the budget
19 manuals prepared by the Department of Finance and Administration, letters, or
20 summarized oral testimony in the official minutes of the Arkansas Legislative
21 Council or Joint Budget Committee which relate to its passage and adoption.

22
23 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the
24 General Assembly, that the Constitution of the State of Arkansas prohibits
25 the appropriation of funds for more than a one (1) year period; that the
26 effectiveness of this Act on July 1, 2013 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the legislative session, the delay in the
29 effective date of this Act beyond July 1, 2013 could work irreparable harm
30 upon the proper administration and provision of essential governmental
31 programs. Therefore, an emergency is hereby declared to exist and this Act
32 being necessary for the immediate preservation of the public peace, health
33 and safety shall be in full force and effect from and after July 1, 2013.