

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1108

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF
EDUCATION - ARKANSAS SCHOOL FOR THE DEAF FOR THE
FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION -
ARKANSAS SCHOOL FOR THE DEAF
APPROPRIATION FOR THE 2015-2016 FISCAL
YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the
Department of Education - Arkansas School for the Deaf for the 2015-2016
fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2015-2016
(1)	U029U	DEAF SCHOOL SUPERINTENDENT	1	\$98,059
(2)	L003C	PSYCHOLOGIST	1	GRADE C127
(3)	E004C	SCHOOL PRINCIPAL	2	GRADE C126
(4)	L012C	ASD SPECIALTY PROGRAM DIRECTOR	1	GRADE C125
(5)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124



1	(6)	E017C	ASST PRINCIPAL	1	GRADE C123
2	(7)	A038C	FISCAL SUPPORT MANAGER	1	GRADE C123
3	(8)	E015C	SPECIAL EDUCATION SUPERVISOR	1	GRADE C123
4	(9)	L027C	REGISTERED NURSE SUPERVISOR	1	GRADE C122
5	(10)	L033C	PSYCHOLOGICAL EXAMINER	1	GRADE C121
6	(11)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
7	(12)	E025C	EDUCATIONAL SPECIALIST	4	GRADE C120
8	(13)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
9	(14)	L038C	REGISTERED NURSE	1	GRADE C120
10	(15)	L045C	AUDIOLOGIST	1	GRADE C119
11	(16)	S008C	CAMPUS MAINTENANCE SUPERVISOR	1	GRADE C119
12	(17)	E036C	CERTIFIED MASTERS DEGREE LIBRARIAN	1	GRADE C119
13	(18)	E035C	CERTIFIED MASTERS TEACHER	35	GRADE C119
14	(19)	E032C	EDUCATION COUNSELOR	2	GRADE C119
15	(20)	M020C	LICENSED PROFESSIONAL COUNSELOR	1	GRADE C119
16	(21)	L042C	SCHOOL SPEECH PATHOLOGIST	4	GRADE C119
17	(22)	E029C	SIGN LANGUAGE COORDINATOR	1	GRADE C119
18	(23)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
19	(24)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
20	(25)	M024C	RESIDENTIAL SERVICES MANAGER	1	GRADE C118
21	(26)	A082C	ACCOUNTANT II	1	GRADE C117
22	(27)	D071C	COMPUTER SUPPORT ANALYST	2	GRADE C117
23	(28)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
24	(29)	S031C	SKILLED TRADESMAN	2	GRADE C115
25	(30)	S038C	TRANSIT OPERATIONS SUPERVISOR	1	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	3	GRADE C113
31	(36)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
32	(37)	A098C	FISCAL SUPPORT SPECIALIST	2	GRADE C112
33	(38)	C058C	EDUCATION PARAPROFESSIONAL	10	GRADE C111
34	(39)	M074C	RESIDENTIAL ADVISOR	30	GRADE C111
35	(40)	T084C	PUBLIC SAFETY SECURITY OFFICER	1	GRADE C110
36	(41)	C073C	ADMINISTRATIVE SPECIALIST II	7	GRADE C109

1	(42)	C069C	LIBRARY TECHNICIAN	1	GRADE C109
2	(43)	S068C	FOOD PREPARATION COORDINATOR	4	GRADE C108
3	(44)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
4	(45)	S065C	MAINTENANCE ASSISTANT	6	GRADE C108
5	(46)	S086C	COOK	12	GRADE C104
6	(47)	S087C	INSTITUTIONAL SERVICES ASSISTANT	<u>1</u>	GRADE C103
7			MAX. NO. OF EMPLOYEES	161	

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9 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 10 of Education - Arkansas School for the Deaf for the 2015-2016 fiscal year,
 11 the following maximum number of part-time or temporary employees, to be known
 12 as "Extra Help", payable from funds appropriated herein for such purposes:
 13 fifty-five (55) temporary or part-time employees, when needed, at rates of
 14 pay not to exceed those provided in the Uniform Classification and
 15 Compensation Act, or its successor, or this act for the appropriate
 16 classification.

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18 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 19 appropriated, to the Department of Education - Arkansas School for the Deaf,
 20 to be payable from the School for the Deaf Fund Account, for personal
 21 services and operating expenses of the Department of Education - Arkansas
 22 School for the Deaf - State Operations for the fiscal year ending June 30,
 23 2016, the following:

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25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2015-2016</u>
27	(01) REGULAR SALARIES	\$5,944,084
28	(02) EXTRA HELP	99,325
29	(03) PERSONAL SERVICES MATCHING	2,169,116
30	(04) OVERTIME	25,000
31	(05) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	1,666,283
33	(B) CONF. & TRAVEL	21,500
34	(C) PROF. FEES	80,000
35	(D) CAP. OUTLAY	75,000
36	(E) DATA PROC.	0

1	(06)	SPECIAL MAINTENANCE	385,000
2	(07)	VOCATIONAL WORKSTUDY	7,500
3	(08)	SIGN LANG. COMMUNICATION PROFICIENCY	
4		INTERVIEW/AMERICAN SIGN LANGUAGE	280,000
5	(09)	MISCELLANEOUS ACTIVITIES	<u>125,000</u>
6		TOTAL AMOUNT APPROPRIATED	<u><u>\$10,877,808</u></u>

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8 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 9 appropriated, to the Department of Education - Arkansas School for the Deaf,
 10 to be payable from the federal funds as designated by the Chief Fiscal
 11 Officer of the State, for personal services and operating expenses of the
 12 Department of Education - Arkansas School for the Deaf - Federal Operations
 13 for the fiscal year ending June 30, 2016, the following:

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15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2015-2016</u>
17	(01) REGULAR SALARIES	\$88,905
18	(02) EXTRA HELP	14,500
19	(03) PERSONAL SERVICES MATCHING	36,729
20	(04) MAINT. & GEN. OPERATION	
21	(A) OPER. EXPENSE	240,909
22	(B) CONF. & TRAVEL	62,111
23	(C) PROF. FEES	286,200
24	(D) CAP. OUTLAY	0
25	(E) DATA PROC.	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u><u>\$729,354</u></u>

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28 SECTION 5. APPROPRIATION - CASH OPERATIONS. There is hereby
 29 appropriated, to the Department of Education - Arkansas School for the Deaf,
 30 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 31 Department of Education - Arkansas School for the Deaf, for operating
 32 expenses of the Department of Education - Arkansas School for the Deaf - Cash
 33 Operations for the fiscal year ending June 30, 2016, the following:

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35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2015-2016</u>

(01)	MAINT. & GEN. OPERATION	
(A)	OPER. EXPENSE	\$147,136
(B)	CONF. & TRAVEL	25,000
(C)	PROF. FEES	50,000
(D)	CAP. OUTLAY	0
(E)	DATA PROC.	0
(02)	SPECIAL MAINTENANCE	<u>220,000</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
<u>Audiologist</u>	<u>C119</u>
<u>Certified Master's Degree Librarian</u>	<u>C119</u>
<u>Education Counselor</u>	<u>C119</u>
<u>Licensed Professional Counselor</u>	<u>C119</u>
Teacher Supervisor	C120
Educational Specialist	C120
Assistant Principal	C123
School Principal	C126

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special

allowances available to any employee who performs one of the following duties in addition to their normal duties:

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

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

6 The provisions of this section shall be in effect only from July 1, ~~2014~~
7 2015 through June 30, ~~2015~~ 2016.

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

17 The provisions of this section shall be in effect only from July 1, ~~2014~~
18 2015 through June 30, ~~2015~~ 2016.

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

33 The provisions of this section shall be in effect only from July 1, ~~2014~~
34 2015 through June 30, ~~2015~~ 2016.

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36 SECTION 12. 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.

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

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

For purposes of implementing the plan, the Arkansas School for the Deaf is authorized special rates of pay up to the maximum of the assigned grade for 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
Teacher Supervisor	C120
Educational Specialist	C120
Assistant Principal	C123

School Principal

C126

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

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

SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2015 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2015 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2015.