

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1078

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 BLIND FOR THE
FISCAL YEAR ENDING JUNE 30, 2018; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION -
ARKANSAS SCHOOL FOR THE BLIND
APPROPRIATION FOR THE 2017-2018 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 Blind for the 2017-2018
fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
(1)	U030U	BLIND SCHOOL SUPERINTENDENT	1	\$99,039
(2)	E004C	SCHOOL PRINCIPAL	2	GRADE C126
(3)	A038C	FISCAL SUPPORT MANAGER	1	GRADE C123
(4)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
(5)	M088C	LICENSED MASTER SOCIAL WORKER	1	GRADE C120



1	(6)	L038C	REGISTERED NURSE	1	GRADE C120
2	(7)	E024C	TEACHER SUPERVISOR	2	GRADE C120
3	(8)	S008C	CAMPUS MAINTENANCE SUPERVISOR	1	GRADE C119
4	(9)	E035C	CERTIFIED MASTERS TEACHER	35	GRADE C119
5	(10)	D061C	INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE C119
6	(11)	L042C	SCHOOL SPEECH PATHOLOGIST	1	GRADE C119
7	(12)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
8	(13)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
9	(14)	M024C	RESIDENTIAL SERVICES MANAGER	1	GRADE C118
10	(15)	A082C	ACCOUNTANT II	1	GRADE C117
11	(16)	E044C	CERTIFIED BACHELORS TEACHER	1	GRADE C117
12	(17)	S025C	BUILDING AND GROUNDS COORDINATOR	1	GRADE C116
13	(18)	C037C	ADMINISTRATIVE ANALYST	2	GRADE C115
14	(19)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
15	(20)	S031C	SKILLED TRADESMAN	2	GRADE C115
16	(21)	S038C	TRANSIT OPERATIONS SUPERVISOR	1	GRADE C115
17	(22)	S047C	LANDSCAPE SUPERVISOR	1	GRADE C113
18	(23)	L069C	LICENSED PRACTICAL NURSE	2	GRADE C113
19	(24)	S046C	MAINTENANCE TECHNICIAN	2	GRADE C113
20	(25)	C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
21	(26)	A098C	FISCAL SUPPORT SPECIALIST	1	GRADE C112
22	(27)	C058C	EDUCATION PARAPROFESSIONAL	6	GRADE C111
23	(28)	M074C	RESIDENTIAL ADVISOR	13	GRADE C111
24	(29)	C073C	ADMINISTRATIVE SPECIALIST II	3	GRADE C109
25	(30)	S062C	INSTITUTIONAL BUS DRIVER	1	GRADE C109
26	(31)	S068C	FOOD PREPARATION COORDINATOR	3	GRADE C108
27	(32)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
28	(33)	S065C	MAINTENANCE ASSISTANT	1	GRADE C108
29	(34)	S086C	COOK	7	GRADE C104
30	(35)	S087C	INSTITUTIONAL SERVICES ASSISTANT	<u>4</u>	GRADE C103
31			MAX. NO. OF EMPLOYEES	105	

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33 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 34 of Education - Arkansas School for the Blind for the 2017-2018 fiscal year,
 35 the following maximum number of part-time or temporary employees, to be known
 36 as "Extra Help", payable from funds appropriated herein for such purposes:

seventeen (17) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. 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 personal services and operating expenses of the Department of Education - Arkansas School for the Blind - State Operations for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) REGULAR SALARIES	\$3,881,639
(02) EXTRA HELP	5,000
(03) PERSONAL SERVICES MATCHING	1,367,796
(04) OVERTIME	10,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,173,656
(B) CONF. & TRAVEL	17,015
(C) PROF. FEES	99,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(06) SPECIAL MAINTENANCE	200,000
(07) VOCATIONAL WORKSTUDY	10,000
(08) SUMMER PROJECTS	<u>100,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$6,864,106</u></u>

SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby appropriated, to the Department of Education - Arkansas School for the Blind, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Education - Arkansas School for the Blind - Federal Operations for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
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1	NO.	2017-2018
2	(01) REGULAR SALARIES	\$36,192
3	(02) EXTRA HELP	15,000
4	(03) PERSONAL SERVICES MATCHING	15,773
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	277,712
7	(B) CONF. & TRAVEL	61,382
8	(C) PROF. FEES	220,275
9	(D) CAP. OUTLAY	85,000
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$711,334</u></u>

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13 SECTION 5. APPROPRIATION - CASH OPERATIONS. There is hereby
 14 appropriated, to the Department of Education - Arkansas School for the Blind,
 15 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 16 Department of Education - Arkansas School for the Blind, for operating
 17 expenses of the Department of Education - Arkansas School for the Blind -
 18 Cash Operations for the fiscal year ending June 30, 2018, the following:

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20	ITEM	FISCAL YEAR
21	NO.	2017-2018
22	(01) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	\$186,508
24	(B) CONF. & TRAVEL	13,000
25	(C) PROF. FEES	100,000
26	(D) CAP. OUTLAY	50,000
27	(E) DATA PROC.	0
28	(02) SPECIAL MAINTENANCE	<u>125,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u><u>\$474,508</u></u>

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31 SECTION 6. APPROPRIATION - BRAILLE AND LARGE PRINT TEXTBOOKS. There is
 32 hereby appropriated, to the Department of Education - Arkansas School for the
 33 Blind, to be payable from the School for the Blind Fund Account, for
 34 purchasing, copying, and shipping Braille and large print textbooks for the
 35 blind and visually impaired students attending the public schools in Arkansas
 36 by the Department of Education - Arkansas School for the Blind - Braille and

Large Print Textbooks for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) BRAILLE AND LARGE PRINT TEXTBOOKS	<u>\$223,024</u>

SECTION 7. APPROPRIATION - BUILDING DEMOLITION AND ENVIRONMENTAL CLEAN-UP. 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 maintenance and general operating expenses related to the demolition and environmental clean-up of the building located on the Blind School Grounds that was formerly occupied by Easter Seals Arkansas for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) MAINTENANCE AND GEN OPER EXPENSES	<u>\$200,000</u>

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. Upon approval from the Chief Fiscal Officer of the State, the Arkansas School for the Blind shall transfer appropriation from the Summer Projects line item, in the State Operations Appropriation of this Act, to the Regular Salaries, Extra Help, Personal Services Matching, Overtime and Maintenance & General Operations line items in the State Operations Appropriation of this Act, to compensate staff who work during the summer months on summer projects, and to cover other expenses of summer project activities. The Summer Projects line item may also be used for the annual cost related to the compensation of eligible staff for shift differential pay as well as compensation of employees for performance of duties assigned as referenced in the Special Allowance Special Language Section of this Act. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

The provisions of this section shall be in effect only from July 1, ~~2016~~

2017 through June 30, ~~2017~~ 2018.

SECTION 9. 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 pay shall not be construed as exceeding the maximum salary authorized for said position.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 10. 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BRAILLE AND LARGE PRINT TEXTBOOKS. The State Board of Education shall make reasonable rules and regulations to implement the Braille and Large Print Textbooks appropriation and is hereby authorized to negotiate directly with publishers of Braille and Large Print Textbooks for the purchase of such textbooks. The Arkansas School for the Blind (ASB) is authorized to use funds from this account for costs associated with providing Braille Textbooks and Large Print Textbooks to public schools. If funding allows and the need is present, the Arkansas School for the Blind is authorized to use funds from this account to purchase electronic textbooks and adaptive technology.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 12. 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
Licensed Social Worker	C118
Licensed Professional Counselor	C119
Certified Masters Teacher	C119
Licensed Master Social Worker	C120
Teacher Supervisor	C120
Educational Specialist	C120

Assistant Principal

C123

The provisions of this section shall be in effect only from July 1, ~~2016~~
2017 through June 30, ~~2017~~ 2018.

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

The provisions of this section shall be in effect only from July 1, ~~2016~~
2017 through June 30, ~~2017~~ 2018.

SECTION 14. 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, ~~2016~~
2017 through June 30, ~~2017~~ 2018.

SECTION 15. 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 Blind 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 Blind 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 Blind 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 Bachelor's 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 Blind 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 16. 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

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.
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5 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General
6 Assembly that any funds disbursed under the authority of the appropriations
7 contained in this act shall be in compliance with the stated reasons for
8 which this act was adopted, as evidenced by the Agency Requests, Executive
9 Recommendations and Legislative Recommendations contained in the budget
10 manuals prepared by the Department of Finance and Administration, letters, or
11 summarized oral testimony in the official minutes of the Arkansas Legislative
12 Council or Joint Budget Committee which relate to its passage and adoption.
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14 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the
15 General Assembly, that the Constitution of the State of Arkansas prohibits
16 the appropriation of funds for more than a one (1) year period; that the
17 effectiveness of this Act on July 1, 2017 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the legislative session, the delay in the
20 effective date of this Act beyond July 1, 2017 could work irreparable harm
21 upon the proper administration and provision of essential governmental
22 programs. Therefore, an emergency is hereby declared to exist and this Act
23 being necessary for the immediate preservation of the public peace, health
24 and safety shall be in full force and effect from and after July 1, 2017.
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