

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1088

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, 2020; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION -
ARKANSAS SCHOOL FOR THE DEAF
APPROPRIATION FOR THE 2019-2020 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 2019-2020
fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	U029U	DEAF SCHOOL SUPERINTENDENT	1	GRADE SE01
(2)	L027C	REGISTERED NURSE SUPERVISOR	1	GRADE MP02
(3)	L045C	AUDIOLOGIST	1	GRADE MP01
(4)	L038C	REGISTERED NURSE	1	GRADE MP01
(5)	L042C	SCHOOL SPEECH PATHOLOGIST	5	GRADE MP01



1	(6)	D030C INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
2	(7)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
3	(8)	D071C COMPUTER SUPPORT ANALYST	2	GRADE IT03
4	(9)	E004C SCHOOL PRINCIPAL	1	GRADE GS11
5	(10)	E017C ASST PRINCIPAL	1	GRADE GS10
6	(11)	E013C EDUCATION PROGRAM MANAGER	1	GRADE GS10
7	(12)	E036C CERTIFIED MASTERS DEGREE LIBRARIAN	1	GRADE GS09
8	(13)	L040C DIETARY SERVICES DIRECTOR	1	GRADE GS09
9	(14)	E025C EDUCATIONAL SPECIALIST	2	GRADE GS09
10	(15)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
11	(16)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
12	(17)	E015C SPECIAL EDUCATION SUPERVISOR	1	GRADE GS09
13	(18)	A082C ACCOUNTANT II	1	GRADE GS08
14	(19)	E035C CERTIFIED MASTERS TEACHER	35	GRADE GS08
15	(20)	M020C LICENSED PROFESSIONAL COUNSELOR	1	GRADE GS08
16	(21)	R014C PERSONNEL MANAGER	1	GRADE GS08
17	(22)	E029C SIGN LANGUAGE COORDINATOR	1	GRADE GS08
18	(23)	S008C CAMPUS MAINTENANCE SUPERVISOR	1	GRADE GS07
19	(24)	E032C EDUCATION COUNSELOR	2	GRADE GS07
20	(25)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
21	(26)	G147C GRANTS COORDINATOR	1	GRADE GS07
22	(27)	M024C RESIDENTIAL SERVICES MANAGER	1	GRADE GS07
23	(28)	L069C LICENSED PRACTICAL NURSE	2	GRADE GS06
24	(29)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
25	(30)	M064C RESIDENTIAL ACTIVITIES SUPERVISOR	3	GRADE GS05
26	(31)	S038C TRANSIT OPERATIONS SUPERVISOR	1	GRADE GS05
27	(32)	V018C WAREHOUSE MANAGER	1	GRADE GS05
28	(33)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
29	(34)	A098C FISCAL SUPPORT SPECIALIST	2	GRADE GS04
30	(35)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
31	(36)	S047C LANDSCAPE SUPERVISOR	1	GRADE GS04
32	(37)	S046C MAINTENANCE TECHNICIAN	3	GRADE GS04
33	(38)	S031C SKILLED TRADESMAN	2	GRADE GS04
34	(39)	C073C ADMINISTRATIVE SPECIALIST II	5	GRADE GS03
35	(40)	C058C EDUCATION PARAPROFESSIONAL	18	GRADE GS03
36	(41)	V027C INVENTORY CONTROL TECHNICIAN	1	GRADE GS03

1	(42) S057C LANDSCAPE SPECIALIST	1	GRADE GS03
2	(43) C069C LIBRARY TECHNICIAN	1	GRADE GS03
3	(44) C053C MEDICAL RECORDS TECHNICIAN	1	GRADE GS03
4	(45) M074C RESIDENTIAL ADVISOR	25	GRADE GS03
5	(46) C087C ADMINISTRATIVE SPECIALIST I	1	GRADE GS02
6	(47) S068C FOOD PREPARATION COORDINATOR	3	GRADE GS02
7	(48) S086C COOK	9	GRADE GS01
8	(49) S065C MAINTENANCE ASSISTANT	6	GRADE GS01
9	(50) M082C RECREATIONAL ACTIVITY LEADER I	<u>2</u>	GRADE GS01
10	MAX. NO. OF EMPLOYEES	160	

11

12 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 13 of Education - Arkansas School for the Deaf for the 2019-2020 fiscal year,
 14 the following maximum number of part-time or temporary employees, to be known
 15 as "Extra Help", payable from funds appropriated herein for such purposes:
 16 fifty-five (55) temporary or part-time employees, when needed, at rates of
 17 pay not to exceed those provided in the Uniform Classification and
 18 Compensation Act, or its successor, or this act for the appropriate
 19 classification.

20

21 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 22 appropriated, to the Department of Education - Arkansas School for the Deaf,
 23 to be payable from the School for the Deaf Fund Account, for personal
 24 services and operating expenses of the Department of Education - Arkansas
 25 School for the Deaf - State Operations for the fiscal year ending June 30,
 26 2020, the following:

27

28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2019-2020</u>
30	(01) REGULAR SALARIES	\$6,434,873
31	(02) EXTRA HELP	99,325
32	(03) PERSONAL SERVICES MATCHING	2,231,728
33	(04) OVERTIME	25,000
34	(05) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	1,376,862
36	(B) CONF. & TRAVEL	16,000

1	(C) PROF. FEES	50,000
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	0
4	(06) SPECIAL MAINTENANCE	340,000
5	(07) VOCATIONAL WORKSTUDY	7,500
6	(08) SCPI/ASL	359,900
7	(09) MISCELLANEOUS ACTIVITIES	<u>55,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$10,996,188</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, 2020, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2019-2020</u>
19	(01) REGULAR SALARIES	\$0
20	(02) EXTRA HELP	9,000
21	(03) PERSONAL SERVICES MATCHING	694
22	(04) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	295,251
24	(B) CONF. & TRAVEL	49,111
25	(C) PROF. FEES	235,393
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$589,449</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, 2020, the following:

36

ITEM	FISCAL YEAR
NO.	2019-2020
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$227,136
(B) CONF. & TRAVEL	15,000
(C) PROF. FEES	18,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) SPECIAL MAINTENANCE	<u>129,864</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$390,000</u></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:

CLASS CODE	SUMMER SCHOOL POSITIONS	GRADE
E044C	Certified Bachelor's Teacher	GS06
E035C	Certified Masters Teacher	GS08
L042C	School Speech Pathologist	MP01
L045C	Audiologist	MP01
E036C	Certified Master's Degree Librarian	GS09
E032C	Education Counselor	GS07
M020C	Licensed Professional Counselor	GS08
E024C	Teacher Supervisor	GS09
E025C	Educational Specialist	GS09
E017C	Assistant Principal	GS10
E004C	School Principal	GS11

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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 School for the Deaf 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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 School for the Deaf 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.

1 The provisions of this section shall be in effect only from July 1, 2018
2 2019 through June 30, ~~2019~~ 2020.

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

8 The provisions of this section shall be in effect only from July 1, ~~2018~~
9 2019 through June 30, ~~2019~~ 2020.

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

20 The provisions of this section shall be in effect only from July 1, ~~2018~~
21 2019 through June 30, ~~2019~~ 2020.

22
23 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
25 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
26 Arkansas School for the Deaf shall transfer appropriation from the
27 Miscellaneous Activities line item in the State Operations Appropriation of
28 this Act, to the Regular Salaries, Extra Help, Personal Service Matching,
29 Overtime, and Maintenance and General Operations line items also in the State
30 Operations Appropriation, to compensate staff who work during the summer
31 months on summer projects and to cover other expenses of summer project
32 activities. The Miscellaneous Activities line item may also be used for the
33 annual cost related to the payment of contracted interpreter services,
34 compensation of eligible staff for shift differential pay, and compensation
35 of employees for performance of duties assigned as referenced in the Special
36 Allowance Special Language 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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 shall be included.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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 or Joint Budget Committee 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) CLASS CODE	TITLE	GRADE
E044C	Certified Bachelors Teacher	GS06
E035C	Certified Masters Teacher	GS08

1	E036C	Certified Masters Degree Librarian	GS09
2	E032C	Education Counselor	GS07
3	L042C	School Speech Pathologist	MP01
4	E024C	Teacher Supervisor	GS09
5	E025C	Educational Specialist	GS09
6	E017C	Assistant Principal	GS10
7	E004C	School Principal	GS11

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

17 The provisions of this section shall be in effect only from July 1, ~~2018~~
 18 2019 through June 30, ~~2019~~ 2020.

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

29
 30 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
 31 Assembly that any funds disbursed under the authority of the appropriations
 32 contained in this act shall be in compliance with the stated reasons for
 33 which this act was adopted, as evidenced by the Agency Requests, Executive
 34 Recommendations and Legislative Recommendations contained in the budget
 35 manuals prepared by the Department of Finance and Administration, letters, or
 36 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

2
3 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the
4 General Assembly, that the Constitution of the State of Arkansas prohibits
5 the appropriation of funds for more than a one (1) year period; that the
6 effectiveness of this Act on July 1, 2019 is essential to the operation of
7 the agency for which the appropriations in this Act are provided, and that in
8 the event of an extension of the legislative session, the delay in the
9 effective date of this Act beyond July 1, 2019 could work irreparable harm
10 upon the proper administration and provision of essential governmental
11 programs. Therefore, an emergency is hereby declared to exist and this Act
12 being necessary for the immediate preservation of the public peace, health
13 and safety shall be in full force and effect from and after July 1, 2019.