

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1123

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, 2020; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION -
ARKANSAS SCHOOL FOR THE BLIND
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 Blind 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)	U030U	BLIND SCHOOL SUPERINTENDENT	1	GRADE SE01
(2)	L038C	REGISTERED NURSE	1	GRADE MP01
(3)	L042C	SCHOOL SPEECH PATHOLOGIST	1	GRADE MP01
(4)	D061C	INFORMATION SYSTEMS COORD SPECIALIST	1	GRADE IT05
(5)	E004C	SCHOOL PRINCIPAL	2	GRADE GS11



(6)	L040C DIETARY SERVICES DIRECTOR	1	GRADE GS09
(7)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
(8)	E024C TEACHER SUPERVISOR	2	GRADE GS09
(9)	A082C ACCOUNTANT II	1	GRADE GS08
(10)	E035C CERTIFIED MASTERS TEACHER	33	GRADE GS08
(11)	M088C LICENSED MASTER SOCIAL WORKER	1	GRADE GS08
(12)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
(13)	S008C CAMPUS MAINTENANCE SUPERVISOR	1	GRADE GS07
(14)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
(15)	M024C RESIDENTIAL SERVICES MANAGER	1	GRADE GS07
(16)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
(17)	E044C CERTIFIED BACHELORS TEACHER	1	GRADE GS06
(18)	L069C LICENSED PRACTICAL NURSE	2	GRADE GS06
(19)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
(20)	S038C TRANSIT OPERATIONS SUPERVISOR	1	GRADE GS05
(21)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
(22)	A098C FISCAL SUPPORT SPECIALIST	1	GRADE GS04
(23)	S047C LANDSCAPE SUPERVISOR	1	GRADE GS04
(24)	S046C MAINTENANCE TECHNICIAN	2	GRADE GS04
(25)	S031C SKILLED TRADESMAN	2	GRADE GS04
(26)	C073C ADMINISTRATIVE SPECIALIST II	2	GRADE GS03
(27)	C058C EDUCATION PARAPROFESSIONAL	10	GRADE GS03
(28)	S056C FOOD PREPARATION SUPERVISOR	1	GRADE GS03
(29)	V027C INVENTORY CONTROL TECHNICIAN	1	GRADE GS03
(30)	M074C RESIDENTIAL ADVISOR	11	GRADE GS03
(31)	S068C FOOD PREPARATION COORDINATOR	3	GRADE GS02
(32)	S062C INSTITUTIONAL BUS DRIVER	1	GRADE GS02
(33)	S086C COOK	7	GRADE GS01
(34)	S087C INSTITUTIONAL SERVICES ASSISTANT	4	GRADE GS01
(35)	S065C MAINTENANCE ASSISTANT	<u>1</u>	GRADE GS01
	MAX. NO. OF EMPLOYEES	105	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Education - Arkansas School for the Blind for the 2019-2020 fiscal year, the following maximum number of part-time or temporary employees, to be known 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, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$4,125,803
(02) EXTRA HELP	5,000
(03) PERSONAL SERVICES MATCHING	1,449,130
(04) OVERTIME	10,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,239,611
(B) CONF. & TRAVEL	17,015
(C) PROF. FEES	33,045
(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>\$7,189,604</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, 2020, the following:

ITEM	FISCAL YEAR
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NO.	2019-2020
(01) REGULAR SALARIES	\$87,181
(02) EXTRA HELP	15,000
(03) PERSONAL SERVICES MATCHING	34,792
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	405,211
(B) CONF. & TRAVEL	41,382
(C) PROF. FEES	112,776
(D) CAP. OUTLAY	85,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$781,342</u></u>

SECTION 5. APPROPRIATION - CASH OPERATIONS. 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 operating expenses of the Department of Education - Arkansas School for the Blind - Cash Operations for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$186,508
(B) CONF. & TRAVEL	13,000
(C) PROF. FEES	100,000
(D) CAP. OUTLAY	50,000
(E) DATA PROC.	0
(02) SPECIAL MAINTENANCE	<u>125,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$474,508</u></u>

SECTION 6. APPROPRIATION - BRAILLE AND LARGE PRINT TEXTBOOKS. 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 purchasing, copying, and shipping Braille and large print textbooks for the blind and visually impaired students attending public schools in Arkansas by the Department of Education - Arkansas School for the Blind - Braille and

Large Print Textbooks for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(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, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) MAINTENANCE AND GENERAL OPERATING EXPENSES	<u>\$8,080</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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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

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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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, and library media.

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. 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
M026C	Licensed Social Worker	GS07
M020C	Licensed Professional Counselor	GS08
E035C	Certified Masters Teacher	GS08
M088C	Licensed Master Social Worker	GS08
E024C	Teacher Supervisor	GS09

E025C	Educational Specialist	GS09
E017C	Assistant Principal	GS10

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. 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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 Blind shall be included.

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

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) CLASS CODE	TITLE	GRADE
E044C	Certified Bachelor's Teacher	GS06
E035C	Certified Masters Teacher	GS08
E036C	Certified Masters Degree Librarian	GS09
E032C	Education Counselor	GS07
L042C	School Speech Pathologist	MP01
E024C	Teacher Supervisor	GS09
E025C	Educational Specialist	GS09
E017C	Assistant Principal	GS10
E004C	School Principal	GS11

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~~ Performance 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~~ Performance 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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 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 17. 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 18. 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, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2019 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, 2019.

APPROVED: 2/11/19