

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1092

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE
10 DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE
11 DEAF FOR THE FISCAL YEAR ENDING JUNE 30, 2013;
12 AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 ARKANSAS SCHOOL FOR THE DEAF APPROPRIATION
17 FOR THE 2012-2013 FISCAL YEAR.
18
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Education - Arkansas School for the Deaf for the 2012-2013
25 fiscal year, the following maximum number of regular employees.
26

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
31	(1) U029U	DEAF SCHOOL SUPERINTENDENT	1	\$95,184
32	(2) L003C	PSYCHOLOGIST	1	GRADE C127
33	(3) A020C	ASD/ASB BUSINESS MANAGER	1	GRADE C126
34	(4) E004C	SCHOOL PRINCIPAL	2	GRADE C126
35	(5) L012C	ASD SPECIALTY PROGRAM DIRECTOR	1	GRADE C125
36	(6) D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124



1	(7)	E017C	ASST PRINCIPAL	1	GRADE C123
2	(8)	E015C	SPECIAL EDUCATION SUPERVISOR	1	GRADE C123
3	(9)	L027C	REGISTERED NURSE SUPERVISOR	1	GRADE C122
4	(10)	R014C	PERSONNEL MANAGER	1	GRADE C121
5	(11)	L033C	PSYCHOLOGICAL EXAMINER	1	GRADE C121
6	(12)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
7	(13)	E025C	EDUCATIONAL SPECIALIST	4	GRADE C120
8	(14)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
9	(15)	L038C	REGISTERED NURSE	1	GRADE C120
10	(16)	S009C	ASD/ASB TRANSPORTATION SVS COORD	1	GRADE C119
11	(17)	L045C	AUDIOLOGIST	1	GRADE C119
12	(18)	S008C	CAMPUS MAINTENANCE SUPERVISOR	1	GRADE C119
13	(19)	E036C	CERTIFIED MASTERS DEGREE LIBRARIAN	1	GRADE C119
14	(20)	E035C	CERTIFIED MASTERS TEACHER	38	GRADE C119
15	(21)	E032C	EDUCATION COUNSELOR	2	GRADE C119
16	(22)	M020C	LICENSED PROFESSIONAL COUNSELOR	1	GRADE C119
17	(23)	L042C	SCHOOL SPEECH PATHOLOGIST	4	GRADE C119
18	(24)	E029C	SIGN LANGUAGE COORDINATOR	1	GRADE C119
19	(25)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
20	(26)	M024C	RESIDENTIAL SERVICES MANAGER	1	GRADE C118
21	(27)	A082C	ACCOUNTANT II	1	GRADE C117
22	(28)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
23	(29)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
24	(30)	S031C	SKILLED TRADESMAN	4	GRADE C115
25	(31)	M064C	RESIDENTIAL ACTIVITIES SUPERVISOR	3	GRADE C114
26	(32)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
27	(33)	S047C	LANDSCAPE SUPERVISOR	1	GRADE C113
28	(34)	L069C	LICENSED PRACTICAL NURSE	3	GRADE C113
29	(35)	S046C	MAINTENANCE TECHNICIAN	4	GRADE C113
30	(36)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
31	(37)	A098C	FISCAL SUPPORT SPECIALIST	3	GRADE C112
32	(38)	C058C	EDUCATION PARAPROFESSIONAL	8	GRADE C111
33	(39)	M074C	RESIDENTIAL ADVISOR	30	GRADE C111
34	(40)	R038C	HUMAN RESOURCES ASSISTANT	1	GRADE C110
35	(41)	T084C	PUBLIC SAFETY SECURITY OFFICER	2	GRADE C110
36	(42)	C073C	ADMINISTRATIVE SPECIALIST II	8	GRADE C109

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

9

10 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 11 of Education - Arkansas School for the Deaf for the 2012-2013 fiscal year,
 12 the following maximum number of part-time or temporary employees, to be known
 13 as "Extra Help", payable from funds appropriated herein for such purposes:
 14 fifty-five (55) temporary or part-time employees, when needed, at rates of
 15 pay not to exceed those provided in the Uniform Classification and
 16 Compensation Act, or its successor, or this act for the appropriate
 17 classification.

18

19 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 20 appropriated, to the Department of Education - Arkansas School for the Deaf,
 21 to be payable from the School for the Deaf Fund Account, for personal
 22 services and operating expenses of the Department of Education - Arkansas
 23 School for the Deaf - State Operations for the fiscal year ending June 30,
 24 2013, the following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2012-2013</u>
28	(01) REGULAR SALARIES	\$6,185,043
29	(02) EXTRA HELP	100,000
30	(03) PERSONAL SERVICES MATCHING	2,183,478
31	(04) OVERTIME	25,000
32	(05) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	1,801,305
34	(B) CONF. & TRAVEL	25,000
35	(C) PROF. FEES	100,000
36	(D) CAP. OUTLAY	65,000

1	(E) DATA PROC.	0
2	(06) SPECIAL MAINTENANCE	450,000
3	(07) VOCATIONAL WORK STUDY	7,500
4	(08) SIGN LANG. COMMUNICATION PROFICIENCY	
5	INTERVIEW/AMERICAN SIGN LANGUAGE	265,000
6	(09) MISCELLANEOUS ACTIVITIES	<u>200,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$11,407,326</u></u>

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9 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 10 appropriated, to the Department of Education - Arkansas School for the Deaf,
 11 to be payable from the federal funds as designated by the Chief Fiscal
 12 Officer of the State, for personal services and operating expenses of the
 13 Department of Education - Arkansas School for the Deaf - Federal Operations
 14 for the fiscal year ending June 30, 2013, the following:

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16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2012-2013</u>
18	(01) REGULAR SALARIES	\$136,550
19	(02) EXTRA HELP	40,000
20	(03) PERSONAL SERVICES MATCHING	60,875
21	(04) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	240,909
23	(B) CONF. & TRAVEL	62,111
24	(C) PROF. FEES	286,200
25	(D) CAP. OUTLAY	129,500
26	(E) DATA PROC.	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u><u>\$956,145</u></u>

28

29 SECTION 5. APPROPRIATION - CASH OPERATIONS. There is hereby
 30 appropriated, to the Department of Education - Arkansas School for the Deaf,
 31 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 32 Department of Education - Arkansas School for the Deaf, for operating
 33 expenses of the Department of Education - Arkansas School for the Deaf - Cash
 34 Operations for the fiscal year ending June 30, 2013, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2012-2013</u>
2	(01) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$147,136
4	(B) CONF. & TRAVEL	25,000
5	(C) PROF. FEES	50,000
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	0
8	(02) SPECIAL MAINTENANCE	<u>220,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$442,136</u></u>

10

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

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

28 The provisions of this section shall be in effect only from July 1,
 29 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

30

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

- 36 1) Teaching adult education classes, parent training, student tutorial

- 1 services on weekends or evenings
- 2 2) Coaching one or more sports
- 3 3) Sponsoring a club or organization that involves additional hours
- 4 outside of the normal working day
- 5 4) Interpretive Services

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

10 The provisions of this section shall be in effect only from July 1,
 11 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

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

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

32 The provisions of this section shall be in effect only from July 1,
 33 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

34

35 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHIFT

1 DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not
2 earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

3 The provisions of this section shall be in effect only from July 1,
4 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

5
6 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CERTIFIED
8 MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the
9 superintendent's certification to the State Personnel Administrator of prior
10 service at an educational institution, the salary of teachers entering state
11 service as teachers may be adjusted to a rate of pay closest to but not less
12 than the annual salary they would have received from their previous employer,
13 effective upon employment at ASD.

14 The provisions of this section shall be in effect only from July 1,
15 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

30 The provisions of this section shall be in effect only from July 1,
31 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

1 the Arkansas School for the Blind. The Arkansas School for the Deaf is
2 authorized to spend general revenue funds to provide for these services.

3 The provisions of this section shall be in effect only from July 1,
4 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

5
6 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
8 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are
9 authorized to establish a joint paying account in the State Treasury, upon
10 direction of the Board of Trustees for the Arkansas School for the Blind and
11 the Arkansas School for the Deaf. The Board may transfer positions, funds
12 and appropriations to the paying account from either school to serve both
13 schools in the areas of Accounting, Personnel, Inventory, Safety and Health
14 Services.

15 Funding and appropriations for this account will be from transfers from
16 the fund accounts and appropriations of each agency and shall be divided
17 proportionately from each agency based on student population. Said funds
18 shall be payable from the joint account as if the positions and other
19 budgetary line items of appropriation had originally been established in the
20 joint account. Supervision of this account and supervision of the positions
21 within may come from either school as determined by the Board of Trustees.

22 The provisions of this section shall be in effect only from July 1,
23 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

31 The provisions of this section shall be in effect only from July 1,
32 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

33
34 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
36 RATES OF PAY. Due to the need to meet the minimum compensation schedule as

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

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

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

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

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

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

1 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

2
3 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
4 authorized by this act shall be limited to the appropriation for such agency
5 and funds made available by law for the support of such appropriations; and
6 the restrictions of the State Procurement Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.
12

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

22 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the
23 General Assembly, that the Constitution of the State of Arkansas prohibits
24 the appropriation of funds for more than a one (1) year period; that the
25 effectiveness of this Act on July 1, 2012 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the legislative session, the delay in the
28 effective date of this Act beyond July 1, 2012 could work irreparable harm
29 upon the proper administration and provision of essential governmental
30 programs. Therefore, an emergency is hereby declared to exist and this Act
31 being necessary for the immediate preservation of the public peace, health
32 and safety shall be in full force and effect from and after July 1, 2012.
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