

State of Arkansas
88th General Assembly
Fiscal Session, 2012

A Bill

HOUSE BILL 1092

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, 2013; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE DEAF APPROPRIATION FOR THE 2012-2013 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 2012-2013 fiscal year, the following maximum number of regular employees.

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



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

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

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Education - Arkansas School for the Deaf for the 2012-2013 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: fifty-five (55) 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 Deaf, to be payable from the School for the Deaf Fund Account, for personal services and operating expenses of the Department of Education - Arkansas School for the Deaf - State Operations for the fiscal year ending June 30, 2013, the following:

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

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

SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby appropriated, to the Department of Education - Arkansas School for the Deaf, 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 Deaf - Federal Operations for the fiscal year ending June 30, 2013, the following:

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

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

ITEM	FISCAL YEAR
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<u>NO.</u>	<u>2012-2013</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><u>\$442,136</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:

SUMMER SCHOOL POSITIONS	GRADE
Certified Bachelor's Teacher	C117
Certified Masters Teacher	C119
School Speech Pathologist	C119
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, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

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

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

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

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

SECTION 10. 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, the salary of teachers entering state service as teachers 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 ASD.

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

SECTION 11. 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 Deaf shall transfer appropriation from the Miscellaneous Activities line item in this Act, to Item No. (01) through Item No. (05) in Section 3 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 Miscellaneous Activities line item may also be used for the annual cost related to the payment of contracted interpreter services, compensation of eligible staff for shift differential pay, and compensation of employees for performance of duties assigned as referenced in Section 7 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, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

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

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

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

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

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

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

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 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,

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

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, 2012 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, 2012 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, 2012.