

Stricken language will be deleted and underlined language will be added.

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



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

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

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Education - Arkansas School for the Deaf 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: 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, 2020, the following:

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

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

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

ITEM NO.	FISCAL YEAR
	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.

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. 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, ~~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. 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 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, ~~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. 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 the State Operations Appropriation of this Act, to the Regular Salaries, Extra Help, Personal Service Matching, Overtime, and Maintenance and General Operations line items also in the State Operations Appropriation, 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 the Special 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

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 Deaf 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 14. 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 15. 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 16. 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.