

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

HOUSE BILL 1024

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 EDUCATION - ARKANSAS SCHOOL FOR THE DEAF FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2017; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 ARKANSAS SCHOOL FOR THE DEAF
17 APPROPRIATION FOR THE 2016-2017 FISCAL
18 YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Education - Arkansas School for the Deaf for the 2016-2017
26 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
32	(1) U029U	DEAF SCHOOL SUPERINTENDENT	1	\$98,059
33	(2) L003C	PSYCHOLOGIST	1	GRADE C127
34	(3) E004C	SCHOOL PRINCIPAL	2	GRADE C126
35	(4) L012C	ASD SPECIALTY PROGRAM DIRECTOR	1	GRADE C125
36	(5) D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124



1	(6)	E017C	ASST PRINCIPAL	1	GRADE C123
2	(7)	A038C	FISCAL SUPPORT MANAGER	1	GRADE C123
3	(8)	E015C	SPECIAL EDUCATION SUPERVISOR	1	GRADE C123
4	(9)	L027C	REGISTERED NURSE SUPERVISOR	1	GRADE C122
5	(10)	L033C	PSYCHOLOGICAL EXAMINER	1	GRADE C121
6	(11)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
7	(12)	E025C	EDUCATIONAL SPECIALIST	4	GRADE C120
8	(13)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
9	(14)	L038C	REGISTERED NURSE	1	GRADE C120
10	(15)	L045C	AUDIOLOGIST	1	GRADE C119
11	(16)	S008C	CAMPUS MAINTENANCE SUPERVISOR	1	GRADE C119
12	(17)	E036C	CERTIFIED MASTERS DEGREE LIBRARIAN	1	GRADE C119
13	(18)	E035C	CERTIFIED MASTERS TEACHER	35	GRADE C119
14	(19)	E032C	EDUCATION COUNSELOR	2	GRADE C119
15	(20)	M020C	LICENSED PROFESSIONAL COUNSELOR	1	GRADE C119
16	(21)	L042C	SCHOOL SPEECH PATHOLOGIST	4	GRADE C119
17	(22)	E029C	SIGN LANGUAGE COORDINATOR	1	GRADE C119
18	(23)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
19	(24)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
20	(25)	M024C	RESIDENTIAL SERVICES MANAGER	1	GRADE C118
21	(26)	A082C	ACCOUNTANT II	1	GRADE C117
22	(27)	D071C	COMPUTER SUPPORT ANALYST	2	GRADE C117
23	(28)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
24	(29)	S031C	SKILLED TRADESMAN	2	GRADE C115
25	(30)	S038C	TRANSIT OPERATIONS SUPERVISOR	1	GRADE C115
26	(31)	M064C	RESIDENTIAL ACTIVITIES SUPERVISOR	3	GRADE C114
27	(32)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
28	(33)	S047C	LANDSCAPE SUPERVISOR	1	GRADE C113
29	(34)	L069C	LICENSED PRACTICAL NURSE	2	GRADE C113
30	(35)	S046C	MAINTENANCE TECHNICIAN	3	GRADE C113
31	(36)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
32	(37)	A098C	FISCAL SUPPORT SPECIALIST	2	GRADE C112
33	(38)	C058C	EDUCATION PARAPROFESSIONAL	10	GRADE C111
34	(39)	M074C	RESIDENTIAL ADVISOR	30	GRADE C111
35	(40)	T084C	PUBLIC SAFETY SECURITY OFFICER	1	GRADE C110
36	(41)	C073C	ADMINISTRATIVE SPECIALIST II	7	GRADE C109

1	(42)	C069C	LIBRARY TECHNICIAN	1	GRADE C109
2	(43)	S068C	FOOD PREPARATION COORDINATOR	4	GRADE C108
3	(44)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
4	(45)	S065C	MAINTENANCE ASSISTANT	6	GRADE C108
5	(46)	S086C	COOK	12	GRADE C104
6	(47)	S087C	INSTITUTIONAL SERVICES ASSISTANT	<u>1</u>	GRADE C103
7			MAX. NO. OF EMPLOYEES	161	

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9 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 10 of Education - Arkansas School for the Deaf for the 2016-2017 fiscal year,
 11 the following maximum number of part-time or temporary employees, to be known
 12 as "Extra Help", payable from funds appropriated herein for such purposes:
 13 fifty-five (55) temporary or part-time employees, when needed, at rates of
 14 pay not to exceed those provided in the Uniform Classification and
 15 Compensation Act, or its successor, or this act for the appropriate
 16 classification.

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18 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 19 appropriated, to the Department of Education - Arkansas School for the Deaf,
 20 to be payable from the School for the Deaf Fund Account, for personal
 21 services and operating expenses of the Department of Education - Arkansas
 22 School for the Deaf - State Operations for the fiscal year ending June 30,
 23 2017, the following:

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25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2016-2017</u>
27	(01) REGULAR SALARIES	\$5,947,684
28	(02) EXTRA HELP	99,325
29	(03) PERSONAL SERVICES MATCHING	2,169,938
30	(04) OVERTIME	25,000
31	(05) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	1,666,283
33	(B) CONF. & TRAVEL	21,500
34	(C) PROF. FEES	80,000
35	(D) CAP. OUTLAY	75,000
36	(E) DATA PROC.	0

1	(06)	SPECIAL MAINTENANCE	385,000
2	(07)	VOCATIONAL WORKSTUDY	7,500
3	(08)	SIGN LANG. COMMUNICATION PROFICIENCY	
4		INTERVIEW/AMERICAN SIGN LANGUAGE	285,000
5	(09)	MISCELLANEOUS ACTIVITIES	<u>125,000</u>
6		TOTAL AMOUNT APPROPRIATED	<u><u>\$10,887,230</u></u>

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8 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby

9 appropriated, to the Department of Education - Arkansas School for the Deaf,

10 to be payable from the federal funds as designated by the Chief Fiscal

11 Officer of the State, for personal services and operating expenses of the

12 Department of Education - Arkansas School for the Deaf - Federal Operations

13 for the fiscal year ending June 30, 2017, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2016-2017</u>
17	(01) REGULAR SALARIES	\$89,505
18	(02) EXTRA HELP	14,500
19	(03) PERSONAL SERVICES MATCHING	36,866
20	(04) MAINT. & GEN. OPERATION	
21	(A) OPER. EXPENSE	240,909
22	(B) CONF. & TRAVEL	62,111
23	(C) PROF. FEES	286,200
24	(D) CAP. OUTLAY	0
25	(E) DATA PROC.	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u><u>\$730,091</u></u>

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28 SECTION 5. APPROPRIATION - CASH OPERATIONS. There is hereby

29 appropriated, to the Department of Education - Arkansas School for the Deaf,

30 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the

31 Department of Education - Arkansas School for the Deaf, for operating

32 expenses of the Department of Education - Arkansas School for the Deaf - Cash

33 Operations for the fiscal year ending June 30, 2017, the following:

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2016-2017</u>

1	(01) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	\$147,136
3	(B) CONF. & TRAVEL	25,000
4	(C) PROF. FEES	50,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	0
7	(02) SPECIAL MAINTENANCE	<u>220,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$442,136</u></u>

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

19	SUMMER SCHOOL POSITIONS	GRADE
20	Certified Bachelor's Teacher	C117
21	Certified Masters Teacher	C119
22	School Speech Pathologist	C119
23	Audiologist	C119
24	Certified Master's Degree Librarian	C119
25	Education Counselor	C119
26	Licensed Professional Counselor	C119
27	Teacher Supervisor	C120
28	Educational Specialist	C120
29	Assistant Principal	C123
30	School Principal	C126

31 The provisions of this section shall be in effect only from July 1, ~~2015~~
 32 2016 through June 30, ~~2016~~ 2017.

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34 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 36 ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special

1 allowances available to any employee who performs one of the following duties
2 in addition to their normal duties:

- 3 1) Teaching adult education classes, parent training, student tutorial
4 services on weekends or evenings
- 5 2) Coaching one or more sports
- 6 3) Sponsoring a club or organization that involves additional hours
7 outside of the normal working day
- 8 4) Interpretive Services

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

13 The provisions of this section shall be in effect only from July 1, ~~2015~~
14 2016 through June 30, ~~2016~~ 2017.

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16 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
18 ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or
19 other form of compensation from the Arkansas Schools for the Deaf or Blind
20 shall be paid an additional salary or receive additional compensation, other
21 than reimbursement for actual expenses, from that agency, nor from any other
22 agency or institution of higher education, except from the Superintendent's
23 written certification to and approval by the Chief Fiscal Officer of the
24 State that the work performed by the employee for the other position does not
25 interfere with the proper and required performance of the employee's primary
26 duties, and that the combined salary payments from both positions will not
27 exceed the maximum annual salary for whichever of the two positions has the
28 higher authorized maximum annual salary.

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

35 The provisions of this section shall be in effect only from July 1, ~~2015~~
36 2016 through June 30, ~~2016~~ 2017.

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

6 The provisions of this section shall be in effect only from July 1, ~~2015~~
7 2016 through June 30, ~~2016~~ 2017.

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

17 The provisions of this section shall be in effect only from July 1, ~~2015~~
18 2016 through June 30, ~~2016~~ 2017.

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

33 The provisions of this section shall be in effect only from July 1, ~~2015~~
34 2016 through June 30, ~~2016~~ 2017.

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36 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER
 2 SALARY INCREASE. In the event that an act is enacted in which the public
 3 schools receive funds from the General Assembly to raise the salaries of
 4 teachers employed in the public school districts, the Arkansas School for the
 5 Deaf and the Arkansas School for the Blind shall be included.

6 The provisions of this section shall be in effect only from July 1, ~~2015~~
 7 2016 through June 30, ~~2016~~ 2017.

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 9 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 11 RATES OF PAY. Due to the need to meet the minimum compensation schedule as
 12 established by Act 74 of the 2nd Extraordinary Session of the 84th General
 13 Assembly, or its successor, for public school teachers, counselors, and
 14 librarians and other education professionals as listed in subsection (a)
 15 below, the Arkansas School for the Deaf is authorized to adjust current or
 16 new employees to at least the minimum level of compensation for public school
 17 employees.

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

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

28 (a) TITLE	GRADE
29 Certified Bachelors Teacher	C117
30 Certified Masters Teacher	C119
31 Certified Masters Degree Librarian	C119
32 Education Counselor	C119
33 School Speech Pathologist	C119
34 Teacher Supervisor	C120
35 Educational Specialist	C120
36 Assistant Principal	C123

1 School Principal

C126

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

11 The provisions of this section shall be in effect only from July 1, ~~2015~~
12 2016 through June 30, ~~2016~~ 2017.

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

23
24 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
25 Assembly that any funds disbursed under the authority of the appropriations
26 contained in this act shall be in compliance with the stated reasons for
27 which this act was adopted, as evidenced by the Agency Requests, Executive
28 Recommendations and Legislative Recommendations contained in the budget
29 manuals prepared by the Department of Finance and Administration, letters, or
30 summarized oral testimony in the official minutes of the Arkansas Legislative
31 Council or Joint Budget Committee which relate to its passage and adoption.

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33 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly, that the Constitution of the State of Arkansas prohibits
35 the appropriation of funds for more than a one (1) year period; that the
36 effectiveness of this Act on July 1, 2016 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2016 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2016.

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