

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1193

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, 2012;  
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 2011-2012 FISCAL YEAR.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Department of Education - Arkansas School for the Deaf for the 2011-2012  
25 fiscal year, the following maximum number of regular employees.  
26

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2011-2012
31	(1) U029U	DEAF SCHOOL SUPERINTENDENT	1	\$92,972
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 2011-2012 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 2012, the following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2011-2012</u>
28	(01) REGULAR SALARIES	\$6,060,862
29	(02) EXTRA HELP	100,000
30	(03) PERSONAL SERVICES MATCHING	2,156,448
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>\$11,256,115</u>

8

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, 2012, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2011-2012</u>
18	(01) REGULAR SALARIES	\$134,763
19	(02) EXTRA HELP	40,000
20	(03) PERSONAL SERVICES MATCHING	60,473
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>\$953,956</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, 2012, the following:

36	ITEM	FISCAL YEAR
----	------	-------------

1	<u>NO.</u>	<u>2011-2012</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~~ 2011 through June 30, ~~2011~~ 2012.

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

12

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

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

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

16  
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~~ 2011 through June 30, ~~2011~~ 2012.

32  
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~~ 2011 through June 30, ~~2011~~ 2012.

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

24  
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~~ 2011 through June 30, ~~2011~~ 2012.

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

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, 2011 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, 2011 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, 2011.