

## SENATE AMENDMENT 1 TO sb432.

by deleting line 5 of page 1 and substituting therefor the following: "By: Senators Mahony and Malone"

AND

by inserting on line 6 of page 1 a House sponsor line to read as follows: "By: Representatives Bisbee and McGinnis"

AND

by deleting "education" on line 23 of page 3 and substituting "Education"

AND

by inserting on line 36 of page 6 the following new sections:

"SECTION 10. Arkansas Code Annotated § 6-11-101 is amended to read as follows:

"6-11-101. Members.

(a) The State Board of Elementary and Secondary Education ~~and the State Board of Vocational Education~~ each shall be composed of ~~the same~~ twelve (12) members, two (2) to be selected from each congressional district of the state and the remainder to be appointed at large from within the state.

(b) The term of office of a member of the State Board of Elementary and Secondary Education ~~and the State Board of Vocational Education~~ shall be six (6) years.

(c) The membership of the ~~boards~~ board shall be reflective of the diversity in ~~general education and vocational~~ elementary and secondary education.

(d) (1) No person may serve as a member of the ~~boards~~ board unless he is a qualified elector and is a person of high moral standards and recognized ability.

(2) No candidate for public office, holder of a public office in the state, schoolteacher, the Director of ~~General~~ the Department of Elementary and Secondary Education, ~~the Director of Vocational and Technical Education~~, county or city superintendent, employee of a state-supported college or university, or member of any board of trustees of any state institution of higher learning shall serve as a member of the State Board of Elementary and Secondary Education ~~and the State Board of Vocational Education~~.

(e) The members of the State Board of Elementary and Secondary Education ~~and the State Board of Vocational Education~~ shall be appointed by the Governor, subject to the

confirmation of the Senate, and shall take the oath of office prescribed by the Constitution for officers.

(f) (1) When a vacancy occurs in the membership of the ~~boards~~ board, the Governor shall appoint a successor to the person who has vacated the membership, who will serve the unexpired term of the person succeeded, subject to all other provisions of this act.

(2) Resignation, removal from the district from which he is appointed, disqualification, incapacitation from mental or physical disability or otherwise, or change in status from the eligibility requirements for membership on the ~~boards~~ board shall automatically create a vacancy in the membership held by a member of the ~~boards~~ board, and no such member shall thereafter exercise any of the functions of membership on the ~~boards~~ board even though his successor has not been appointed.

(g) (1) Members of the ~~boards~~ board shall be subject to removal from office by the Governor when the actions or conditions of a member shall be considered as sufficient cause for removal.

(2) However, before a member may be removed for cause, this cause must have been accepted as true, good, and sufficient by a majority written vote of all members of the ~~boards~~ board after a formal hearing at a regular or special session of the boards.

(h) The members of the State Board of Elementary and Secondary Education ~~and the State Board of Vocational Education~~ shall serve without remuneration other than:

(1) Their actual expenses while attending regular and special meetings of the ~~boards~~ board; and

(2) A per diem allowance when in attendance at regular or special meetings of the ~~boards~~ board.

~~————— (i) (1) The members of the State Board of Education and the State Board of Vocational Education shall be cognizant at all times of educational issues that cross the lines of authority and responsibility of the General Education Division and the Vocational and Technical Education Division.~~

~~————— (2) Such issues shall be brought to the attention of the chairman so that he may schedule the issue for action at a meeting of either board, but with the Director of General Education and the Director of Vocational and Technical Education both present at the meeting in their capacity as ex officio secretary of their respective boards.~~

~~————— (3) Action taken by the board regarding such issue shall be binding on both the General Education Division and the Vocational and Technical Education Division."~~

SECTION 11. Arkansas Code Annotated § 6-11-102 is amended to read as follows:

"6-11-102. ~~Directors~~ General Education ~~Vocational and Technical Education~~ Director.

(a) Subject to confirmation by the Governor, the State Board of Elementary and Secondary Education ~~and the State Board of Vocational Education~~ are ~~is~~ empowered to employ ~~persons~~ a person to act as the Director of ~~General~~ the Department of Elementary and

~~Secondary Education and the Director of Vocational and Technical Education~~, who shall serve at the pleasure of the Governor.

(b) The ~~directors~~ director shall devote all of ~~their~~ his time to the duties of ~~their~~ his office, shall act as ~~agents~~ agent of the ~~boards~~ board, and perform such other duties as are designated by the ~~boards~~ board or by statute.

(c) (1) The person selected as the Director of ~~General~~ the Department of Elementary and Secondary Education must:

(A) Be a person of good moral character, recognized as a leader in the field of education, qualified technically and by experience to direct the work of the Department of Elementary and Secondary Education;

(B) Hold the master's degree from an accredited institution;

(C) Have had ten (10) years' experience as a teacher, five (5) of which must be of an administrative or supervisory nature; and

(D) Hold a valid state teacher's certificate.

(2) No person who is related within the fourth degree of consanguinity or affinity to any member of the State Board of Elementary and Secondary Education shall be eligible to serve as Director of ~~General~~ the Department of Elementary and Secondary Education.

~~(d) (1) The person selected as Director of Vocational and Technical Education must:~~

~~(A) Be a person of good moral character, recognized as a leader in the field of vocational education, qualified technically and by experience to direct the work of the Vocational and Technical Education Division;~~

~~(B) Hold the master's degree from an accredited institution;~~

~~(C) Have had ten (10) years' experience as a teacher, supervisor, and administrator of vocational education, with the experience representing positions of increasing responsibility; and~~

~~(D) Qualify as a teacher in a vocational program area under the state board's standard qualification requirements.~~

~~(2) No person who is related within the fourth degree of consanguinity or affinity to any member of the State Board of Vocational Education shall be eligible to serve as Director of Vocational and Technical Education.~~

~~(e) (d)~~ It is the specific intention of this act to define and declare the Director of ~~General~~ the Department of Elementary and Secondary Education to be the employee of the State Board of Elementary and Secondary Education and ~~the Director of Vocational and Technical Education to be the employee of the State Board of Vocational Education.~~

~~(f) (e) (1)~~ The Director of ~~General~~ the Department of Elementary and Secondary Education, or a disbursing agent designated by him and approved by the State Board of Elementary and Secondary Education, and ~~the Director of Vocational and Technical Education, or a disbursing agent designated by him and approved by the State Board of Vocational Education,~~ shall give bond to the State of Arkansas as provided by law for other disbursing

agents, conditioned for the faithful performance of their duties and the faithful accounting for all the school money of the state, of any county, or of any school district that may come into their hands.

(2) The bond shall be in a solvent surety company having a right to do business in the State of Arkansas and shall be approved by the State Board of Education.

(3) The premium on the bond shall be paid by the State Board of Elementary and Secondary Education as one of the expenses of the board.

~~—(g)~~ (f) The state shall furnish the directors with suitable offices."

SECTION 12. Arkansas Code Annotated § 6-11-103 is amended to read as follows:

"§ 6-11-103. Officers.

(a) The ~~boards~~ board shall elect one (1) of ~~their~~ its number chairman, one (1) vice chairman, and such other officers as the ~~boards deem~~ board deems necessary to perfect ~~their~~ its organization.

(b) The Director of ~~General~~ the Department of Elementary and Secondary Education shall act as ex officio Secretary of the State Board of Elementary and Secondary Education without vote.

~~—(c) The Director of Vocational and Technical Education shall act as ex officio Secretary of the State Board of Vocational Education without vote."~~

SECTION 13. Arkansas Code Annotated § 6-11-104 is amended to read as follows:

"§ 6-11-104. Meetings.

~~—(a)~~ The State Board of Elementary and Secondary Education shall meet a minimum of six (6) times annually. The board will meet each December to determine the meeting dates for the following year. Special meetings may be called by the chairman of the board on five (5) days' written notice to the members. In the absence of the chairman, the Director of ~~General~~ the Department of Elementary and Secondary Education shall call a meeting on the request of three (3) members of the board. If both the chairman and the Director of ~~General~~ the Department of Elementary and Secondary Education shall be absent or refuse to call a meeting, any three (3) members of the board may call a meeting by similar notices in writing.

~~—(b) The State Board of Vocational Education shall meet a minimum of four (4) times annually. The board will meet each July to determine the meeting dates for the following year. Special meetings may be called by the chairman of the board on five (5) days' written notice to the members. In the absence of the chairman, the Director of Vocational and Technical Education shall call a meeting on the request of three (3) members of the board. If both the chairman and the Director of Vocational and Technical Education shall be absent or refuse to call a meeting, any three (3) members of the board may call a meeting by similar notices in writing."~~

SECTION 14. Arkansas Code Annotated § 6-11-105 is amended to read as follows:

"6-11-105. Powers and duties.

(a) The State Board of Elementary and Secondary Education shall:

- (1) Have general supervision of the public schools of the state;
- (2) Prepare and distribute plans and specifications for the construction and equipment of school buildings and approve plans and expenditures of public school funds for all new school buildings;
- (3) Recommend courses of study for the public schools and teacher training institutions;
- (4) Prescribe rules and regulations for the sanitary inspection of all buildings and for the examination of pupils to detect contagious and infectious diseases and physical defects;
- (5) Issue certificates based upon credentials presented by applicants for certificates to teach in the public schools of the state;
- (6) Qualify and standardize public schools and prescribe requirements for accrediting and grading public schools;
- (7) Supervise the operation of school district budgets;
- (8) Supervise the purchase and distribution of ~~textbooks~~ instructional materials;
- (9) Take such other action as it may deem necessary to promote the physical welfare of school children and promote the organization and increase the efficiency of the public schools of the state; and
- (10) Perform all other functions which may now or hereafter be delegated to the State Board of Elementary and Secondary Education by law. However, nothing in this act shall prohibit the State Board of Elementary and Secondary Education and the Department of Elementary and Secondary Education from issuing teachers' certificates upon the results of teachers' examinations as now provided by law.

(b)~~(1)~~ The State Board of Elementary and Secondary Education may organize and, from time to time, change and alter the ~~General~~ Elementary and Secondary Education ~~Division~~ Department into such branches or sections as may be found necessary and desirable by the Director of ~~General~~ the Department of Elementary and Secondary Education to perform all proper functions and render maximum service relating to the operation and improvement of the ~~general~~ education programs of the state.

~~(2) The State Board of Vocational Education may organize and, from time to time, change and alter the Vocational and Technical Education Division into such branches or sections as may be found necessary and desirable by the Director of Vocational and Technical Education to perform all proper functions and render maximum service relating to the operation and improvement of vocational education programs in the state.~~

(c) The State Board of Elementary and Secondary Education ~~and the State Board of~~

~~Vocational Education~~ shall adopt such rules and regulations for ~~their~~ its meetings and proceedings as ~~they deem~~ it deems advisable."

SECTION 15. Arkansas Code Annotated § 6-11-106 is amended to read as follows:

"6-11-106. Vocational education.

(a) The State Board of ~~Vocational~~ Elementary and Secondary Education shall have general supervision of vocational education in the state and shall administer and apportion any funds that may come to the state for ~~that~~ the purpose of elementary and secondary education.

(b) The board shall submit all rules and regulations pertaining to vocational and technical education to the Coordinating Council for Skills and Technical Education for review and approval."

SECTION 16. Arkansas Code Annotated § 6-11-107 is amended to read as follows:

"6-11-107. Official seal.

~~—~~(a) The State Board of Elementary and Secondary Education shall adopt a seal, and the seal shall be used by the Director of the ~~General Education Division~~ Department of Elementary and Secondary Education to authenticate documents or copies of documents as the board or director may deem advisable.

~~—~~(b) ~~The State Board of Vocational Education shall adopt a seal, and the seal shall be used by the Director of Vocational and Technical Education to authenticate documents or copies of documents as the board or director may deem advisable.~~"

SECTION 17. Arkansas Code Annotated § 6-11-108 is amended to read as follows:

"6-11-108. Employment of personnel.

(a) The State Board of Elementary and Secondary Education ~~and the State Board of Vocational Education~~, in addition to other duties prescribed by law, shall select such personnel as may be needed for the efficient operation of the Department of Elementary and Secondary Education and shall fix their salaries in accordance with their training and the work assigned.

(b) Appointments of full-time employees in the Department of Elementary and Secondary Education shall be made by the ~~boards~~ board upon nomination by the Director of ~~General~~ the Department of Elementary and Secondary Education ~~and the Director of Vocational and Technical Education for their respective divisions~~.

(c) Upon rejection of a nominee, the ~~appropriate~~ director shall make further nominations.

(d) Professional appointments in the Department of Elementary and Secondary Education shall be made for definite terms of one (1) year, subject to removal for cause by a majority vote of the members of the State Board of Elementary and Secondary Education upon recommendation of the Director of ~~General~~ the Department of Elementary and Secondary

~~Education or by the State Board of Vocational Education upon recommendation of the Director of Vocational and Technical Education.~~

(e) All personnel of the department shall be employed by and serve at the pleasure of the director; provided, nothing in this section shall be so construed as to reduce any rights or benefits of employees, including retirement benefits, that such may have had when employed by the Vocational and Technical Division of the Department of Education."

SECTION 18. Arkansas Code Annotated § 6-11-110 is amended to read as follows:

"6-11-110. Uniform system of records - Reports.

(a) The State Board of Elementary and Secondary Education shall prescribe a uniform system of records to be kept by the county boards of education, school directors, principals, and teachers of schools.

(b) All such school officials and employees shall make such reports to the Director of ~~General the Department of Elementary and Secondary Education and the Director of Vocational and Technical Education~~ as may be designated by the State Board of Elementary and Secondary Education."

SECTION 19. Arkansas Code Annotated § 6-11-111 is amended to read as follows:

"6-11-111. Records of proceedings - Annual report.

(a) The State Board of Elementary and Secondary Education shall keep in the office of the Director of ~~the General Education Division~~ the Department of Elementary and Secondary Education a complete record of the minutes of its meetings and other proceedings and annually shall make a report to the Governor which shall embody the report of the Director of ~~the General Education Division~~ the Department of Elementary and Secondary Education.

~~—(b) The State Board of Vocational Education shall keep in the office of the Director of Vocational and Technical Education a complete record of the minutes of its meetings and other proceedings.~~

~~—(c)~~ (b) The annual report of the State Board of Elementary and Secondary Education to the Governor shall be transmitted by him to the General Assembly at the opening of the session.

(d) Such reports shall be printed by the State Board of Elementary and Secondary Education and distributed among the various school officers of the state."

SECTION 20. Arkansas Code Annotated § 6-11-112 is amended to read as follows:

"6-11-112. Power to make plans coordinating state and federal laws.

(a) The State Board of Elementary and Secondary Education is empowered to make such plans, rules, and regulations as are necessary in order for this state to meet requirements of any law enacted by the Congress of the United States for general education or any supplementary federal regulations pertaining to that legislation.

(b) The State Board of ~~Vocational~~ Elementary and Secondary Education is empowered to make such plans, rules, and regulations as are necessary in order for this state to meet requirements of any law enacted by the Congress of the United States for vocational education or any supplementary federal regulations pertaining to that legislation.

(c) These plans, rules, and regulations shall be submitted to the Coordinating Council for Skills and Technical Education for review and comment before being submitted to the federal government for funding."

SECTION 21. Arkansas Code Annotated § 6-11-113 is amended to read as follows:

"6-11-113. Federal aid - Acceptance and distribution generally.

(a)(1) The General Assembly accepts all federal aid to education that may be provided by the Congress of the United States.

(2) The State Board of Elementary and Secondary Education ~~and the State Board of Vocational Education~~ are is designated as the "state educational authority" for the purpose of representing the state in the administration of funds provided by Congress.

(3) The ~~boards are~~ board is empowered to promulgate such regulations as are necessary on the part of the state to meet any and all requirements of the federal government in the distribution of federal aid.

(4) The ~~boards~~ board shall provide for the proper auditing and accounting of all federal funds and for making all necessary reports regarding the expenditures of the federal funds.

(5) The ~~boards~~ board shall perform such other functions as may be prescribed by the act providing aid.

(b) The Treasurer of State is designated to serve as trustee for such funds as may be apportioned to the State of Arkansas in this connection.

(c) The funds shall be disbursed according to the provisions of the federal act allocating them."

SECTION 22. Arkansas Code Annotated § 6-11-114 is amended to read as follows:

"6-11-114. Federal aid - Receipt and administration for school facilities.

(a) The State Board of Elementary and Secondary Education ~~and the State Board of Vocational Education~~ are is designated to receive and administer any and all federal funds made available to this state for the purpose of assisting local school districts in providing elementary and secondary school facilities for general education programs and for vocational ~~and adult~~ education programs ~~respectively~~.

(b) Any funds related to vocational education shall be administered with the approval of the Coordinating Council for Skills and Technical Education."

SECTION 23. Arkansas Code Annotated § 6-11-115 is amended to read as follows:

"6-11-115. Special contracts.

The State Board of Elementary and Secondary Education is authorized to enter into and carry out such contractual agreements and arrangements with local school districts and other agencies as may be found necessary to implement any and all sections of Public Law 89-10, as amended, and other federal programs, including services for children of migratory farm workers, services for mentally and physically handicapped as set out under Title VI of Public Law 89-10 [repealed], and any and all other services found to be essential to the extension of the benefits to eligible participants."

SECTION 24. Arkansas Code Annotated § 6-11-116(a) is amended to read as follows:

"(a) The State Board of Elementary and Secondary Education is granted authority to prescribe principles, standards, and criteria to be followed in setting up priority of projects, provided that such principles, standards, and criteria are not in conflict with federal statutes."

SECTION 25. Arkansas Code Annotated § 6-11-117 is amended to read as follows:

"6-11-117. Copies of documents as evidence.

Copies of any papers or documents on file in the offices of the Director of ~~General Elementary and Secondary Education and the Director of Vocational and Technical Education~~ authenticated by ~~them~~ him with the seal of the State Board of Elementary and Secondary Education ~~or State Board of Vocational Education respectively~~ shall be admissible in evidence with the same effect as the original."

SECTION 26. Arkansas Code Annotated § 6-11-118 is amended to read as follows:

"6-11-118. Office of Rural Services.

(a) This section shall be known as the "Rural Services Act of 1981".

(b) The General Assembly recognizes that Arkansas Constitution, Article 14, requires the state to provide a general, suitable, and efficient system of free public schools and that the Department of Elementary and Secondary Education is legislatively created to help provide these schools. The General Assembly further recognizes the need for effective aid and assistance to the smaller rural school districts of the state and that under the present structure of the Department of Elementary and Secondary Education such aid and assistance is not adequate. It is the intent and purpose of this section to establish an office of the Department of Elementary and Secondary Education which would correct this present deficiency in the Department of Elementary and Secondary Education's responsibility to meet the needs of all the children of the state.

(c) (1) There is created the Office of Rural Services in the Department of Elementary and Secondary Education.

(2) The Director of ~~General~~ the Department of Elementary and Secondary Education shall establish a coordinator in the Office of Rural Services.

(3) The duties of this office shall be to:

(A) Direct programs to improve the quality of the rural schools of the state by helping to deliver comprehensive technical assistance services such as curriculum development, teaching methods evaluations, program development, planning, needs assessments, etc.;

(B) Help develop teacher training programs that fit the needs of rural students;

(C) Develop and conduct in-service education programs for rural teachers, administrators, and county board of education members;

(D) Act as liaison between rural education and rural development activities;

(E) Assist rural districts in developing rural resource cooperatives in order that rural schools could share a pool of specialized human, material, and technical resources;

(F) Assist rural schools in construction and renovation programs;

(G) Identify and create an awareness of promising practices of rural schools throughout the state and nation;

(H) Serve as liaison between the Department of Elementary and Secondary Education and the small schools;

(I) Coordinate all other activities especially for small schools and collect such data as needed by the General Assembly in order that rural schools may be properly financed.

(4) The Office of Rural Services shall answer directly to the Director of ~~General~~ Elementary and Secondary Education.

(d) For the purpose of this section, the term "rural school" shall be interchangeable with the term "small high school" and shall include those schools with enrollments of five hundred (500) or less in kindergarten through grade twelve. Schools of enrollments of five hundred (500) to seven hundred fifty (750) shall also be served by this office if they are in unincorporated areas, if a majority of the county board of education approves, and if the superintendent requests that the school become a part of the area for which this office is responsible."

SECTION 27. Arkansas Code Annotated § 6-11-119 is amended to read as follows:

"6-11-119. Correspondence courses.

(a) The State Board of Elementary and Secondary Education shall promulgate reasonable rules, regulations, and standards for the accreditation of persons, firms, schools, or educational institutions offering correspondence courses to the people of this state and may grant certificates of approval to those persons, firms, schools, or educational institutions offering correspondence courses which meet the approval of its rules, regulations, and standards.

(b) It shall be unlawful for any person, firm, school, or educational institution to advertise by newspaper, magazine, pamphlet, handbill, or other printed method published in this state, or by radio or by television in this state, the offering of any correspondence courses unless that person, firm, school, or educational institution shall have first registered with the State Board of Elementary and Secondary Education and shall have been approved by the State Board of Elementary and Secondary Education as an accredited correspondence school.

(c) The provisions of this section shall be applicable to all schools or educational institutions offering correspondence courses whether the schools are located in this state or in some other state.

(d) Any person violating this section shall be guilty of a misdemeanor and upon conviction shall be fined in the sum of not less than two hundred fifty dollars (\$250) and not more than five hundred dollars (\$500)."

SECTION 28. Arkansas Code Annotated § 6-11-120 is amended to read as follows:

"6-11-120. Educational programs for children in institutions.

(a) The State Board of Elementary and Secondary Education is authorized to provide supervision, accreditation, and other services essential to the development of desirable educational programs for children at the elementary and secondary levels who are residents in institutions under the control of a public board or commission.

(b) The State Board of Elementary and Secondary Education at its discretion may enter into formal contracts or other agreements with publicly controlled institutions or with local school district boards for the purpose of serving the educational needs of children resident in such institutions or local districts.

(c) The State Board of Elementary and Secondary Education is authorized to take any and all action necessary to qualify children resident in such institutions or districts for all benefits available under the provisions of Public Law 89-10, as amended by Public Law 89-313 and Public Law 89-750.

(d) Authorizations contained in this section shall include any subsequent amendments which may be enacted by Congress, provided the amendments are not in conflict with the Constitution or statutes of the State of Arkansas."

SECTION 29. Arkansas Code Annotated § 6-11-121 is repealed.

~~6-11-121. National Migrant Student Record Transfer System.~~

~~The following procedures are to be utilized by the National Migrant Student Record Transfer System in the Department of Education for the purchase or lease of data processing equipment and services, including a central processing unit, peripheral equipment, and associated items and programs:~~

~~(1) Upon receipt of a request from the Executive Committee of the National Association of Migrant Directors by the Director of General Education and the Director of~~

~~the National Migrant Student Record Transfer System, known as the director, the Chief Fiscal Officer of the State and the Arkansas Communications Study Committee shall be notified that the request has been received and that the National Migrant Student Record Transfer System Director is proceeding to upgrade the data processing equipment now in use;~~

~~———— (2) Upon determination of the additional equipment or modification to the existing data processing system in use by the National Migrant Student Record Transfer System, the director shall issue bids for the equipment or modifications. Bids shall require that the equipment to be purchased or leased is consistent with the existing equipment unless specifically designated otherwise by the executive committee. The procedure for issuing the bids shall be in conformance with state purchasing laws governing equipment purchases which are not data processing related;~~

~~———— (3) Upon receiving the bids as required in subdivision (2) of this section, the director shall transmit all bids received and his recommendation to the executive committee;~~

~~———— (4) The executive committee shall certify to the director and the Director of the Department of Education its decision concerning the actions to be taken after having received the bids and recommendations submitted to it; and~~

~~———— (5) Upon receipt of the certification required in subdivision (4) of this section, the director shall enter into contracts for services or equipment as required by the executive committee, and the director shall notify the Chief Fiscal Officer of the State and the Arkansas Communications Study Committee of such action.~~

SECTION 30. Arkansas Code Annotated 6-11-122 is amended to read as follows:

"6-11-122. Publication of public school laws - Advisory committee.

(a) The State Board of Elementary and Secondary Education, after consulting and advising with the School Laws Publication Advisory Committee created in subsection (b) of this section, is authorized to compile and cause to be published the public school laws of Arkansas in a single volume and, if it determines it appropriate, may provide for periodic publication of supplements to the volume.

(b) There is established the School Laws Publication Advisory Committee to be composed of a representative of each of the following: the Arkansas Education Association, the Arkansas School Boards Association, the Arkansas Association of School Administrators, the Arkansas Rural School Association, and ~~the General Education Division of the Department of Elementary and Secondary Education, and the Vocational and Technical Education Division of the Department of Education.~~

(c) The School Laws Publication Advisory Committee shall advise with and make recommendations to the State Board of Elementary and Secondary Education regarding the publication of the school laws of the state."

SECTION 31. Arkansas Code Annotated § 6-11-124 is amended to read as follows:

"6-11-124. Statewide computer network.

(a) Acts 1991, No. 1034, authorizes the Board of Trustees of the Arkansas Teacher Retirement System to provide a loan to the Department of Elementary and Secondary Education for a statewide computer system capable of linking all public school systems and the Department of Elementary and Secondary Education. In order to provide alternatives to accomplish the purposes of Acts 1991, No. 1034, the Department of Elementary and Secondary Education is hereby authorized to enter into a contractual agreement with IMPAC Learning Systems, Inc. for the development of a statewide computer system capable of linking all public school systems and the Department of Elementary and Secondary Education from funds provided by a loan from the Arkansas Teacher Retirement System.

(b) The State Board of Elementary and Secondary Education shall maintain oversight authority over the approval of all standards, procedures, and specifications determined by the Department of Elementary and Secondary Education regarding the purchase or lease of the statewide computer network in addition to maintaining oversight authority over the operational aspects of the system.

(c) (1) (A) As a means of providing assistance to, and coordination of efforts between the Department of Elementary and Secondary Education, IMPAC Learning Systems, Inc. and users of the statewide computer network, there is hereby created the Public School System Computer Network Advisory Council.

(B) The members of the Public School System Computer Network Advisory Council shall serve without pay and represent citizens and users of the network and data. The members shall be appointed by and serve at the pleasure of the Director of the Department of Elementary and Secondary Education. The Director of the Department of Elementary and Secondary Education shall be designated as chairman of the Public School System Computer Network Advisory Council.

(2) In addition to providing assistance and coordination, the council may also assist and offer advice regarding the purchase or lease of equipment utilized in the computer network system.

(d) The Director of the Department of Elementary and Secondary Education is hereby authorized to request from the Chief Fiscal Officer of the State a transfer of appropriation authorized for school district management and statewide data collection by the General Assembly to any other line item appropriation authorized for the Department of Elementary and Secondary Education for the same purpose."

SECTION 32. Arkansas Code Annotated § 6-61-202 is amended to read as follows:

"6-61-202. Powers and duties generally.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education and program providers of adult education, adult literacy, and rehabilitation services, the board shall have the following powers and duties:

(1)(A) To receive within one (1) year of their appointment and each year thereafter a minimum of eight (8) clock hours of instruction and training, to include higher education, adult education, adult literacy, and rehabilitation services issues, policies, laws, and the duties and responsibilities associated with the position of board member;

(B) The members of the boards of all publicly supported institutions of higher education shall receive similar instruction and training within one (1) year of their appointment or election and each year thereafter, which shall be conducted by the individual institutions;

(2) Along with its director, to be responsible, within fiscal and staff capabilities, for directing an integrated program for defining, popularizing, and securing acceptance of the major goals and objectives of higher education, adult education, adult literacy, and rehabilitation services in Arkansas and for relating them to the state's various problems;

(3) To request and receive any information from the publicly supported institutions of higher education and other program providers as the board deems necessary for the performance of its duties;

(4) To promulgate and adopt uniform definitions and forms in such matters as financial reporting, academic statistics, and resident status of students for use in making financial recommendations and standard enrollment data to be followed by the institutions of higher learning;

(5) To determine the need for and recommend to the Governor and the General Assembly the establishment and location of any new institutions or programs and to recommend, when appropriate, changes in the names of existing state-supported institutions of higher learning;

(6) To recommend the level of funding and the method of distribution of state-supported scholarships and loan programs, and to seek the cooperation of the state-supported institutions of higher learning to develop policies to coordinate all student loan and scholarship programs, including those federally financed; and

(7) To review all proposed bond issues to be made by any public institution of higher learning and to advise the board of trustees of each of the respective institutions as to the economic feasibility thereof, as set forth in § 6-62-306.

(b) The board shall encourage the cooperation of private institutions of higher learning in its efforts to plan more effectively for the coordinated development of higher education, adult education, adult literacy, and rehabilitation services in this state."

SECTION 33. Arkansas Code Annotated § 6-61-204 is amended to read as follows:

"6-61-204. Advisory committees and councils.

The board is authorized to establish advisory committees and councils, including a president's committee and an advisory commission on community junior colleges, as may be

deemed necessary for the effective development and coordination of higher education, adult education, adult literacy, and rehabilitation services in this state."

SECTION 34. Arkansas Code Annotated § 6-61-205 is amended to read as follows:

"6-61-205. Master plan.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the board shall have the power and duty to accept responsibility for continuous master planning.

(b) The board shall involve a broadly representative advisory committee in the development of a comprehensive master plan for all of postsecondary education and shall continually use the committee to keep the master plan updated.

(c) This plan shall include all senior colleges and universities which are state supported, community colleges, branches of state-supported institutions, independent or private colleges and universities, proprietary institutions, technical institutes, program providers of adult education, adult literacy, rehabilitation services, and postsecondary efforts of area vocational-technical schools.

(d) Broad citizen participation shall be sought by the board in the development of this plan."

SECTION 35. Arkansas Code Annotated § 6-18-1005 is amended to read as follows:

"6-18-1005. Student services program defined.

(a) A "student services program" is defined as a coordinated effort which shall include, but is not limited to:

(1) Guidance services, which shall include, but are not limited to:

(A) The availability of individual and group counseling to all students;

(B) Orientation programs for new students at each level of education and for transferring students;

(C) Class scheduling for students;

(D) Consultation with parents, faculty, and out-of-school agencies concerning student problems and needs;

(E) Utilization of student records and files;

(F) Supervision of standardized testing and interpretation of results;

(G) The following-up of early school dropouts and graduates;

(H) A school-initiated system of parental involvement; and

(I) An organized system of informational resources on which to base educational and vocational decision-making; ~~and~~

~~(J) Educational and job placement, including advising students on the availability of vocational and alternative programs that could provide successful high school completing opportunities for students at risk of dropping out of school;~~

(2) Career action plans which provide educational and job counseling and advice to students and their parents about secondary and postsecondary job and educational opportunities;

~~\_\_\_\_\_~~ (2)(3) Psychological services, which shall include, but are not limited to, the following:

- (A) Evaluation of students with learning or adjustment problems;
- (B) Evaluation of students in exceptional-child education programs;
- (C) Consultation and counseling with parents, students, and school personnel;
- (D) A system for the early identification of learning potential and factors which affect the child's educational performance;
- (E) A system of liaison and referrals, with resources available outside the school; and
- (F) Written policies which assure ethical procedures in psychological activities;

~~\_\_\_\_\_~~ (3)(4) Visiting teacher and school social work services, which shall include, but are not limited to, the following:

- (A) Providing casework to assist in the prevention and remediation of problems of attendance, behavior, adjustment, and learning; and
- (B) Serving as liaison between the home and school by making home visits and referring students and parents to appropriate school and community agencies for assistance;

~~\_\_\_\_\_~~ (4)(5) Occupational and placement services, which shall include, but are not limited to, the dissemination of career education information, placement services, and follow-up studies;

~~\_\_\_\_\_~~ (5)(6) Group conflict resolution services, which shall include, but are not limited to, the following:

- (A) Educational and social programs which help students develop skills enabling them to resolve differences and conflicts between groups; and
- (B) Programs designed to promote understanding, positive communication, and a greater utilization of a race relations specialist or human relations specialist to assist in the development of intergroup skills;

~~\_\_\_\_\_~~ (6)(7) Health services; and

~~\_\_\_\_\_~~ (7)(8) The distribution of a suicide prevention public awareness program developed for distribution by the inter program task force established by the Lieutenant Governor's Teen age Suicide Prevention Task Force.

(b) School counselors shall spend at least seventy-five percent (75%) of work time providing direct counseling related to students, and shall devote no more than twenty-five percent (25%) of work time to administrative activities, provided that such activities relate to the provision of guidance services."

SECTION 36. Career Action Plans.

(a) The General Assembly finds and determines:

(1) That students and parents need to know more about educational and job opportunities and the prerequisites necessary to secure these opportunities;

(2) That course choices made in school can and do affect the options that students have after high school;

(3) That students and parents want to know what courses are required for admission to state colleges and universities and what options are offered by technical colleges and technical institutes; and

(4) That students and parents need more information about financial assistance for postsecondary schooling or work opportunities.

(b) The General Assembly requires that all local school districts put into practice a comprehensive Career Action Planning (CAP) program to assist secondary students and their parents or guardians prepare for work, training, or education, which shall include, but not be limited to, the following:

(1) A school-wide awareness and counseling program, involving the entire faculty and administration, to help students prepare for work, education, and training;

(2) A guidance program to ensure that all secondary students are enrolled in the core curriculum;

(3) Extensive training for teachers/advisors as part of the district's in-service program;

(4) Locally designed and other educational and career materials that are accessible to students and parents;

(5) Educational and career guidance beginning in grade eight (8);

(6) Student-developed and maintained educational and career records which include scores on tests, career interests, previous grades, extracurricular activities, attendance, and such other indicators as the district may deem important;

(7) Annual CAP conferences for all students in grades eight (8) through eleven (11) to afford students and parents the opportunity to review with teachers/advisors career and educational plans, educational history, and proposed courses of study; and

(8) Frequent opportunities for students in grades eleven (11) and twelve (12) to attend CAP sessions or seminars to place them in direct contact with employers or representatives of postsecondary education institutions."

AND

by appropriately renumbering subsequent sections of the bill.