

As Engrossed: 1/29/91, 2/14/91, 2/25/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Hardin**

A BILL ACT 773 OF 1991
SENATE BILL 165

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7 **For An Act To Be Entitled**

8 "AN ACT TO ADD MEMBERS TO THE STATE BOARD OF VOCATIONAL
9 EDUCATION; TO *PROVIDE FOR ON-CAMPUS ASSOCIATE DEGREE*
10 *PROGRAMS AT POSTSECONDARY VOCATIONAL TECHNICAL SCHOOLS; TO*
11 *EXPAND THE FUNCTION OF TECHNICAL INSTITUTES CREATED BY*
12 *A.C.A. §6-51-217; TO CREATE A SERIES OF COMPREHENSIVE*
13 *LIFELONG LEARNING CENTERS; AND FOR OTHER PURPOSES."*

14
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. Purpose. It is the purpose of this act to initiate a broad
18 array of legislative authority whose purpose it is to (1) upgrade the quality
19 and quantity of postsecondary vocational and technical education; (2) to
20 permit the expansion of programs leading to associate of applied science
21 degrees; and (3) to augment the State Board of Vocational Education by
22 increasing its membership that is representative of business and industry
23 including the service-oriented industries in Arkansas.

24
25 SECTION 2. *Local Administration.*

26 (a) *All postsecondary vocational technical schools, including those*
27 *which expand their services under A.C.A. §6-51-217 or under Section 4 of this*
28 *act shall be governed by a local board of directors.*

29 (b) *The Governor shall appoint a five (5) member local board of*
30 *directors composed of residents of the local geographic service area in which*
31 *the institution is located. Appointment shall be subject to confirmation by*
32 *the Senate.*

33 (c) *The term of office for local board members shall be five (5) years.*
34 *The initial board appointees shall determine their terms by lot so that no*
35 *more than one (1) term shall expire during any given year.*

36 (d) *A local board appointee shall serve no more than two (2)*

1 consecutive terms.

2 (e) Members of the local board shall be qualified electors of the
3 geographic service area in which the institution is located.

4 (f) Local board appointees shall have a high interest in vocational
5 technical education, a strong desire and commitment to serve the institution
6 in the improvement of its offerings, and shall be representative of business,
7 industry, labor, and agriculture, including service occupations.

8 (g) No candidate for public office, holder of public office in the
9 state, or his or her spouse shall serve as a member of a local board.

10 (h) When a vacancy occurs in the membership of the board, the president
11 or director of the institution shall so notify the governor who shall appoint
12 a successor to the person who vacated membership, who shall serve the
13 unexpired term of the person succeeded.

14 (i) The powers and duties of the local board shall be as follows:

15 (1) To appoint from the candidates certified by the state board,
16 the president of the technical institute or director of the comprehensive
17 lifelong learning center;

18 (2) To appoint, upon nomination of the president or director of
19 the institution, members of the administrative and teaching staffs;

20 (3) To determine, with the approval of the State Board of
21 Vocational Education, the educational program of the institution; and

22 (4) Other powers and duties as provided in this act or as
23 delegated to it by the State Board of Vocational Education.

24 (j) The local board shall select a chairman and such other officers as
25 necessary for the performance of its duties.

26 (k) The local board shall meet at least quarterly with the president or
27 director of the institution.

28 (l) The local board may make rules and regulations not inconsistent
29 with the provisions of this act or inconsistent with the rules and regulations
30 of the State Board as are necessary for the proper administration and
31 operation of the institution.

32 (m) The local board may contract with a non-profit organization or a
33 local school board within its service area to offer secondary level general
34 academic and vocational technical courses and programs, adult literacy
35 courses, or both.

36

1 SECTION 3. Technical Institutes.

2 (a) The technical institute may offer programs which lead to an
3 associate of applied science degree. Such programs must be approved by the
4 State Board of Higher Education, and may be either offered on-site at the
5 institute or at a satellite location.

6 (b) Each technical institute shall operate within a service area
7 assigned by the State Board of Vocational Education.

8 (c) The Board of Directors of the Technical Institute may contract with
9 existing institutions of higher education for the operation of any associate
10 degree programs offered at the Institute.

11 (d) Any degree at or above the associate degree level offered at a
12 Technical Institute or any state-supported postsecondary institution must be
13 approved by the State Board of Higher Education. Those degrees offered at a
14 Technical Institute must be awarded by an Arkansas higher education
15 institution accredited by the North Central Association, Commission on
16 Institutions of Higher Education.

17 (e) Any such degree program must be offered through the Institute's
18 Center for Collegiate Instruction.

19 (f) (1) The technical institute shall be required to establish a
20 policy that specifically outlines a plan to work with local business,
21 industry, and agriculture to meet technological and training needs.

22 (2) The plan shall be submitted annually to the local board of
23 directors and the State Board of Vocational Education for approval.

24 (3) The plan shall incorporate a study of local needs including
25 interviews with local business, industry, and agriculture.

26 (4) The technical institute shall be required to offer courses to
27 address business, industry, and agricultural needs and when appropriate teach
28 the course at those sites.

29 (5) The Technical Institute may use adjunct faculty or professors
30 under contract to meet this requirement.

31

32 SECTION 4. Comprehensive Lifelong Learning Centers. Schools not
33 converting to technical institutes as provided by other sections of this act
34 or community colleges under existing law shall expand program offerings and
35 become a comprehensive lifelong learning center.

1 (a) (1) The State Board of Vocational Education shall establish
2 criteria and program expansions which would require all remaining
3 postsecondary vocational technical schools to become comprehensive lifelong
4 learning centers.

5 (2) The board shall periodically review the program offerings and
6 curricula of the postsecondary vocational technical schools to assure that
7 lifelong learning opportunities exist for the population served.

8 (3) The lifelong learning centers shall include offerings of:

9 (A) workplace literacy programs consisting of remedial
10 education (including Adult Basic Education and General Adult Education);

11 (B) occupational and technical preparation;

12 (C) applied foundation courses in mathematics, science,
13 communications, and technologies;

14 (D) customized training and adult retraining programs;

15 (E) apprenticeship/work-based training programs;

16 (F) other relevant education and training which meets the
17 needs of the work force and which prepares the State's citizens for lifelong
18 learning opportunities and a quality life; and

19 (G) may include courses leading to an Associate of Applied
20 Science degree, upon approval by the State Board of Higher Education.

21 (b) When a postsecondary vocational technical school meets the criteria
22 for becoming a comprehensive lifelong learning center as established by the
23 State Board of Vocational Education, the school shall make application to the
24 board seeking that it be designated as such.

25 (c) Service area. Each comprehensive lifelong learning center shall
26 operate within a service area assigned by the State Board of Vocational
27 Education.

28 (d) Satellite campuses. Each comprehensive lifelong learning center
29 may operate satellite campuses apart from the campus of the main center but
30 within the service area of the center. The establishment, locations, and
31 number of satellite campuses of a center must be approved by the State Board
32 of Vocational Education.

33 (e) Associate degree programs. The Board of Directors of a
34 comprehensive lifelong learning center may contract with existing institutions
35 of higher education for the operation of any associate degree programs offered

1 at the Center, upon approval by the State Board of Vocational Education and
2 the State Board of Higher Education. Any degree program at or above the
3 associate degree level offered at a comprehensive lifelong learning center
4 must be approved by the State Board of Higher Education and awarded by an
5 Arkansas institution of higher education accredited by the North Central
6 Association - Commission on Institutions of Higher Education. Any such degree
7 program must be offered through the center's Center for Collegiate
8 Instruction.

9 (f) Local financing.

10 (1) Except as provided in this section, the construction,
11 operation, and maintenance of the comprehensive lifelong learning center shall
12 be financed by the state.

13 (2) Each comprehensive lifelong learning center, acting through
14 its board, shall have the power to accept and receive gifts, grants, profits
15 from auxiliary enterprises, local millages, and any other local funds to be
16 used as local matching funds for capital outlay expenses of the center.

17 (g) (1) The comprehensive lifelong learning center shall be required
18 to establish a plan that specifically outlines cooperative efforts with local
19 industries and business to meet technological and training needs.

20 (2) The plan shall be submitted annually to the local board of
21 directors and the State Board of Vocational Education for approval.

22 (3) The plan shall incorporate a study of local needs including
23 interviews with local business and industry.

24 (4) The comprehensive lifelong learning center shall be required
25 to offer courses to address industry and business needs and when appropriate
26 to teach the course at the business or industry site.

27 (5) The comprehensive lifelong learning center may use adjunct
28 faculty or professors under contract to meet this requirement.

29

30 SECTION 5. Expanded Associate Degrees Instruction. Any Arkansas
31 Technical Institute or comprehensive lifelong learning center desiring to
32 offer college transfer courses or to increase the number of associate of
33 applied science degrees being offered may initiate such college transfer
34 courses or occupational degree programs under the provisions of this section
35 upon approval of the State Board of Higher Education.

1 (1) The Center for Collegiate Instruction (hereinafter call the
2 Center) means a legally designated collegiate center on the campus of
3 Technical Institute or a comprehensive lifelong learning center. The Center
4 shall be authorized to coordinate and offer college level courses at such
5 location. It shall comply with the established accreditation standards of the
6 North Central Association for the "Umbrella" college or university which acts
7 as the sponsor for the Center.

8 (2) Any Technical Institute or comprehensive lifelong learning
9 center that desires to establish a Collegiate Center shall be required to
10 enter into a memorandum of understanding (MOU) with the sponsoring colleges or
11 universities. The guidelines for establishing the MOU shall be developed by
12 the State Board of Higher Education in conjunction with the State Board of
13 Vocational Education.

14 (3) The associate degree programs to be offered at the Center
15 shall be developed by participating institutions and shall meet all the
16 standards for accreditation by the North Central Association of Colleges and
17 Schools, Commission on Institutions of Higher Education. Associate degree
18 programs offered through a Center must be approved for implementation by the
19 State Board of Higher Education.

20 (4) Each university or college operating at least one Collegiate
21 Center shall designate a Center director who shall manage the operation of the
22 Center and any subsequent satellite units which may be developed at other
23 institutions. Each Technical Institute or comprehensive lifelong learning
24 center shall designate a Collegiate Center coordinator who is to be
25 responsible for the overall coordination of the Center and its efficient
26 operation.

27
28 SECTION 6. Arkansas Code §25-6-101(b) is hereby amended to read as
29 follows:

30 "(b)(1) It is also the intent of this chapter to establish specifically
31 a State Board of Vocational Education which heretofore existed by inference
32 and to provide for the State Board of Vocational Education to be composed of
33 the same members as the State Board of Education plus three (3) members
34 representative of business, industry and labor. The same statutory provision
35 for remuneration of board members shall apply to these additional members.

1 (2) *It is intended that all authority and responsibility of the*
 2 *State Board of Vocational Education be administered through the Vocational and*
 3 *Technical Education Division under the direction and supervision of the*
 4 *Director of Vocational and Technical Education and that all authority and*
 5 *responsibility of the State Board of Education be administered through the*
 6 *General Education Division under the direction and supervision of the Director*
 7 *of General Education."*

8
 9 SECTION 7.

10 (1) *As soon after passage of this act as possible, the Governor shall*
 11 *appoint three (3) members to the State Board of Vocational Education for a*
 12 *term of five (5) years. The members shall draw lots for terms of office with*
 13 *no more than one (1) term expiring any given year.*

14 (2) *In appointing the new members, the Governor may solicit the advice*
 15 *and counsel of local business, industry, labor and agriculture, including*
 16 *service occupation leaders in Arkansas.*

17 (3) *The three (3) new members to be appointed must represent senior*
 18 *management of their respective group or upper level management, one (1) of*
 19 *which shall represent a service based business or industry.*

20 (4) *The chairman of the State Board of Vocational Education shall be*
 21 *elected by the membership of the board. The chairman of the State Board of*
 22 *Vocational Education shall not be the same person who chairs the State Board*
 23 *of Education.*

24 (5) *With the exception of a special funding appropriation, all state*
 25 *funds shall be distributed by the State Board of Vocational Education to the*
 26 *technical institutes, postsecondary vo-tech schools and comprehensive lifelong*
 27 *learning centers, based on a funding formula to be developed and approved by*
 28 *the Board and shall include such items as enrollment, instruction, student*
 29 *services, instructional support, maintenance and operation, utilities,*
 30 *equipment, staff benefits, and longevity.*

31 SECTION 8. (a) *All postsecondary vocational technical schools within*
 32 *the State of Arkansas shall present to the State Board of Vocational Education*
 33 *and the Vocational Education Division of the Department of Education a report*
 34 *reflecting satisfactory progress which the school is making in the process of*
 35 *converting to a technical institute under Section 3, or a comprehensive*

1 lifelong learning center under Section 4.

2 (b) The report shall be filed with the State Board of Vocational
3 Education and the Vocational Education Division annually.

4 (c) Conversion under this act must occur within six (6) years from the
5 effective date hereof.

6 (d) Upon the failure to find that satisfactory progress is being made
7 by the school, the State Board of Vocational Education shall dissolve the
8 operation of the school and or convert the school to an Adult Education
9 Center, a secondary vocational center or other appropriate role and function.

10

11 *SECTION 9. For purposes of standardized reporting and accountability*
12 *only, the State Board of Vocational Education, after consultation with the*
13 *State Board of Higher Education, shall develop for all postsecondary*
14 *vocational schools, technical institutes and comprehensive lifelong learning*
15 *centers a reporting system for headcount and full time equivalency enrollment*
16 *which is consistent with policies followed by the State Board of Higher*
17 *Education.*

18

19 *SECTION 10. Riverside Vocational Technical School. Riverside*
20 *Vocational Technical School shall be exempt from all provisions of this act*
21 *except section 9 and shall remain a postsecondary vocational technical school*
22 *as presently structured under the State Board of Vocational Education.*

23

24 *SECTION 11. All provisions of this act of a general and permanent*
25 *nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas*
26 *Code Revision Commission shall incorporate the same in the Code.*

27

28 *SECTION 12. If any provision of this act or the application thereof to*
29 *any person or circumstance is held invalid, such invalidity shall not affect*
30 *other provisions or applications of the act which can be given effect without*
31 *the invalid provision or application, and to this end the provisions of this*
32 *act are declared to be severable.*

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34 *SECTION 13. All laws and parts of laws in conflict with this act are*
35 *hereby repealed.*

1/22/91 2/11/91 3/25/91

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SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly that the reconstructing of the delivery system of adult education and vocational education in this state is necessary to provide quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business, industry, labor and agriculture to provide every citizen with an opportunity to participate in vocational-technical training and associate degree programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be implemented and comprehensive planning can begin. 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 its passage and approval.

/s/Hardin

APPROVED: 3/26/91

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