

As Engrossed: 1/25/95 3/1/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 559 OF 1995
HOUSE BILL 1299

4 **By: Representatives Allen, T. Smith, and Thicksten**

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For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 6, CHAPTER 42, SUBCHAPTER 2 OF THE
9 ARKANSAS CODE BY ESTABLISHING A BOARD OF TRUSTEES TO
10 GOVERN THE ARKANSAS SCHOOL FOR MATHEMATICS AND SCIENCES;
11 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

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Subtitle

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code Annotated § 6-42-201 is hereby amended to read
21 as follows:

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"6-42-201. Establishment - Purpose - Location - Funding - Tuition.

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(a) There is hereby established the Arkansas School for Mathematics and Sciences, hereinafter "school", which shall be a residential school for eleventh and twelfth grade students. The purpose of the school shall be to educate the gifted and talented math and science students of the state and to develop curriculum and materials to improve instruction in mathematics and sciences for all students in the state. The school's curriculum, faculty, and admissions policy shall reflect such purposes. While the emphasis of the school shall be dedicated to the academic teaching of mathematics and sciences, some emphasis may be placed on the arts and humanities, as deemed appropriate by the Board of Trustees .

(b) The school shall be located on the campus of an Arkansas institution of higher education or at such other appropriate facility which can provide the classrooms, laboratories, library facilities, dormitories, and other services necessary for the proper operation and support of the school.

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1 The school shall be funded by moneys appropriated by the General Assembly for
2 the operation of the school and by such grants, contributions, or donations
3 which may be received for the support of the school. Students selected to
4 attend the school shall not be required to pay tuition, fees, or room and
5 board."

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7 SECTION 2. Arkansas Code Annotated § 6-42-202 is hereby amended to read
8 as follows:

9 "6-42-202. Board of Trustees.

10 (a) The school shall be governed by a Board of Trustees.

11 (b) (1) The Board of Trustees shall consist of seven (7) members, with
12 one (1) member appointed from each Congressional district and the remaining
13 members appointed at-large. Five (5) ex-officio nonvoting members shall also
14 serve on the board.

15 (2) The Governor shall appoint all seven (7) members of the Board
16 of Trustees.

17 (c) (1) Members of the board appointed by the Governor under the
18 provisions of this section, in addition to possessing the qualifications of an
19 elector, shall reside in the state of Arkansas.

20 (2) Members shall serve seven (7) year terms. Once appointed,
21 the initial seven (7) members of the board shall draw lots so that no more
22 than one term expires each year.

23 (d) The Director of the General Education Division of the Arkansas
24 Department of Education, the Director of the Arkansas Department of Higher
25 Education, the president of the Arkansas Science and Technology Authority, the
26 president of the school's Parent Association, and the president of the
27 school's Student Government shall serve as the five (5) ex-officio nonvoting
28 members of the board."

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30 SECTION 3. Arkansas Code Annotated § 6-42-203 is hereby amended to read
31 as follows:

32 "6-42-203. Powers and duties of the Board of trustees.

33 (a) The Board of Trustees created under § 6-42-202 is charged with the
34 management and control of the Arkansas School for Mathematics and Sciences.

35 (b) The board shall annually elect a chairman, a secretary, and such

1 other officers as the boards deems appropriate.

2 (c) The board shall meet at least once a month.

3 (d) The chairman is authorized to call special meetings of the board as
4 needed, upon two (2) days written notice to the members.

5 (e) Any three (3) board members are authorized to call special meetings
6 of the board, upon two (2) days written notice to the members.

7 (f) The board shall employ an administrator for the school who may be
8 removed by the board or the Governor. The Governor may designate the Director
9 of the General Education Division, the Department of Education to act in his
10 stead.

11 (g) The board is authorized to contract with other state agencies and
12 private research centers as it deems necessary in carrying out its
13 responsibilities for the operation of the school.

14 (h) The board is authorized to receive contributions, donations, gifts,
15 bequests of money, other forms of financial assistance and property,
16 equipment, materials or personnel from persons, foundations, trust funds,
17 corporations, organizations, and other sources, private or public, to be
18 expended and utilized for the operation of the school.

19 (i) *The board may, by a majority vote of the total membership, at the*
20 *first regularly scheduled meeting of each calendar year, authorize expense*
21 *reimbursement for the board members to perform official duties of the board*
22 *and such expense reimbursement shall not exceed the rate established for state*
23 *employees in the state travel regulations."*

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25 SECTION 4. Arkansas Code Annotated § 6-42-204 is hereby amended to read
26 as follows:

27 "6-42-204. Administrator - staff.

28 (a) The administrator of the Arkansas School for Mathematics and
29 Sciences shall be the chief administrative officer of the school and shall
30 administer the school in accordance with policies established by the Board of
31 Trustees.

32 (b) Upon recommendation of the administrator, the board shall employ
33 other personnel the board deems necessary for the operation of the school.

34 (c)(1) The administrator and other personnel employed for the operation
35 of the school shall be employees of the State of Arkansas.

1 (2) Faculty members and other personnel required for operation of
2 the school shall be recommended for employment by the administrator and shall
3 be employed by annual contract by the school.

4 (3) Teachers and administrators so employed shall be eligible for
5 membership in the Arkansas Teacher Retirement System and earn credited service
6 for such employment.

7 (4) Noneducational personnel employed by the department shall be
8 eligible for membership in the Arkansas Teacher Retirement System and earn
9 credit for such employment."

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11 SECTION 5. Arkansas Code Annotated § 6-42-205 is hereby amended to read
12 as follows:

13 "6-42-205. Technical assistance from State agencies.

14 The Department of Education, the Department of Higher Education, and the
15 Arkansas Science and Technology Authority shall provide technical assistance
16 to the staff of the Arkansas School for Mathematics and Sciences."

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18 SECTION 6. Title 6, Chapter 42, Subchapter 2 of the Arkansas Code
19 Annotated is hereby amended by adding a new section to read as follows:

20 "6-42-206. Governance of school.

21 All Department of Education regulations shall apply to the Arkansas
22 School of Mathematics and Sciences, unless the department indicates
23 otherwise."

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25 SECTION 7. All provisions of this act of a general and permanent nature
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
27 Revision Commission shall incorporate the same in the Code.

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29 SECTION 8. If any provision of this act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 act are declared to be severable.

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35 SECTION 9. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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3 SECTION 10. EMERGENCY. It is hereby found and determined by the
4 Eightieth General Assembly of the State of Arkansas that the effective
5 operation of the Arkansas School for Mathematics and Sciences is dependent
6 upon the immediate reorganization of the governance structure of the school
7 and that failure to implement this act immediately will cause undue hardship
8 to the school and the students therein. Therefore, an emergency is hereby
9 declared to exist and this act being necessary for the immediate preservation
10 of the public peace, health, and safety, shall be in full force and effect
11 from and after its passage and approval.

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/s/Allen, et al

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APPROVED: 3-8-95

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