

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
Act 617 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1751

5 By: Representative Pickett
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE
10 ARKANSAS CODE TO USE THE CORRECT TERM FOR
11 EDUCATION SERVICE AGENCY; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO MAKE TECHNICAL CORRECTIONS IN
14 THE ARKANSAS CODE TO USE THE CORRECT
15 TERM FOR EDUCATION SERVICE AGENCY.
16
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 6-1-101(d)(1), regarding the review of
22 audit reports of public institutions of education, is amended to read as
23 follows:

24 (d)(1) The audit reports and accompanying comments and recommendations
25 relating to any publicly funded school, ~~educational~~ education service
26 cooperative, vocational-technical school, or institution of higher education
27 prepared in accordance with the provisions of this section or other code
28 provisions shall be reviewed by the applicable board or governing body.
29

30 SECTION 2. Arkansas Code § 6-10-109(b)(1), regarding parent training
31 programs, is amended to read as follows:

32 (b)(1) Only public school districts or education service cooperatives
33 established ~~under Act 103 of the Extraordinary Session of 1983 [repealed] or~~
34 under § 6-13-1001 et seq. are eligible for grants to operate Parents As
35 Teachers programs.



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SECTION 3. Arkansas Code § 6-11-128(a), regarding the Arkansas Public School Computer Network, is amended to read as follows:

(a) Beginning with the 2003-2004 fiscal year, all school districts and ~~educational~~ education service cooperatives shall, as a minimum, use the following financial management systems applications of the Arkansas Public School Computer Network:

- (1) Fund accounting, including all activity funds;
- (2) Budget preparation;
- (3) Human resources; and
- (4) Fixed assets.

SECTION 4. Arkansas Code § 6-11-129(a)(3)(B), regarding public school data to be accessible on Department of Education website, is amended to read as follows:

(B) Each school district or the district's ~~educational~~ education service cooperative, if the education service ~~cooperative~~ maintains the district's website, shall publish on the district's website:

- (i) The school district's contracts with all school district employees, except that no social security numbers shall be published; and
- (ii) The district salary schedules, including the salary schedules for regular certified employees, supplemental and extended contract schedules, and classified employee schedules;

SECTION 5. Arkansas Code § 6-13-620(a)(14), regarding the powers and duties of school district boards of directors, is amended to read as follows:

(14) If a district does not have a website, then:

- (A) On or ~~on~~ or before July 1, 2003, the district's ~~educational~~ education service cooperative shall develop a website for the district; or
- (B) ~~the cooperative~~ The education service cooperative shall enter into an agreement with a local city, county, or other local governmental agency to have the district's information as required in subdivision (13) of this section published on an existing local city, county, or other local governmental agency's website.

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SECTION 6. Arkansas Code § 6-13-620(b), regarding the powers and duties of school district boards of directors, is amended to read as follows:

(b) Beginning on July 16, 2003, through July 1, 2004, notwithstanding any other provision of law, no school board of any public school or any governing body of a charter school or an ~~educational~~ education service cooperative shall enter into any contractual or project obligation exceeding seventy-five thousand dollars (\$75,000) or one percent of the district's total state and local revenues for additional base funding, as defined on lines 15 and 16 of the Department of Education's May 16, 2002 State Aid Notice, whichever is greater, for the purchase, sale, construction, improvement, or repair of equipment, facilities, motor vehicles, buildings, or real property sites without the prior written approval of the state board or the Commissioner of Education as allowed in emergency situations.

SECTION 7. Arkansas Code § 6-15-504(b), regarding the administration of achievement tests for home-schooled students, is amended to read as follows:

(b)(1)(A) The administration of the tests required of home-schooled students shall be by the executive directors of the education service cooperatives established under § 6-13-1001 et seq. or as otherwise designated by the Department of Education.

(B) For the purposes of this section, the superintendents of the Little Rock School District, North Little Rock School District, and Pulaski County Special School District shall act in lieu of an education service cooperative executive director.

(2) The executive directors of the education service cooperatives shall establish a common set of procedures approved by the Commissioner of Education for the proper administration of the tests required by this section.

(3) The administration shall include purchasing the test materials, giving the tests, scoring and interpreting the tests, and reporting test results.

SECTION 8. Arkansas Code § 6-15-504(d), regarding the administration of achievement tests to home-schooled students, is amended to read as

1 follows:

2 (d)(1) Alternate testing procedures may be approved by the executive
3 director of an education service cooperative after consultation with the
4 parents of a home-schooled student.

5 (2) However, any costs associated with an alternate testing
6 procedure shall be the responsibility of the parents.

7
8 SECTION 9. Arkansas Code § 6-17-301(c), regarding employment of
9 certified personnel, is amended to read as follows:

10 (c) Beginning on July 16, 2003, through July 1, 2004, notwithstanding
11 any other provision of law except for currently binding contractual
12 obligations or enforceable court-ordered mandates, no public school board or
13 the governing board of an ~~educational~~ education service cooperative or
14 charter school may employ or extend the employment contract of any
15 superintendent, assistant superintendent, school principal, department head,
16 coach, teacher, or other certified or noncertified personnel for a period of
17 time more than one (1) fiscal year without the prior written approval of the
18 State Board of Education or the Commissioner of Education as allowed in
19 emergency situations.

20
21 SECTION 10. Arkansas Code § 6-17-1206 is amended to read as follows:
22 6-17-1206. Credit for leave accumulated in another district.

23 (a) Whenever an employee of a school district, an ~~educational~~
24 education service cooperative, a state education agency, or a two-year
25 college in this state shall leave the school district, ~~educational~~ education
26 service cooperative, state education agency, or two-year college and accept
27 employment in another school district in this state, ~~educational~~ education
28 service cooperative, state education agency, or two-year college, the
29 employee shall be granted credit by the new school district, ~~educational~~
30 education service cooperative, state education agency, or two-year college
31 for any unused sick leave accumulated by the employee while employed by the
32 former school district but not to exceed a maximum of ninety (90) days.

33 (b) The accumulated and unused sick leave credit shall be granted to
34 the employee upon furnishing proof in writing from the school district of
35 former employment of the employee.

36 (c) The provisions of this section shall apply to employment with

1 another school district, ~~educational~~ education service cooperative, state
 2 education agency, or two-year college on or after July 1, 1997.

3
 4 SECTION 11. Arkansas Code § 6-18-102(f), regarding uniform dress
 5 codes, is amended to read as follows:

6 (f) The Department of Education and ~~educational~~ education service
 7 cooperatives shall, when possible, assist public schools by providing
 8 information regarding uniform dress codes upon request from public school
 9 administrators.

10
 11 SECTION 12. Arkansas Code § 6-18-203(b)(1), regarding attendance in a
 12 school district other than district of residence, is amended to read as
 13 follows:

14 (b)(1) The children or wards of any person who is at least a half-time
 15 employee of a public school in one (1) school district in this state or is
 16 employed full time by an ~~educational~~ education service cooperative and is a
 17 resident of another school district in this state shall be entitled to be
 18 enrolled in and to attend school in either the district in which the parent
 19 or guardian resides, the district in which the parent or guardian is at least
 20 a half-time employee of a public school, or any district located in the
 21 county in which the main office of the ~~educational~~ education service
 22 cooperative is located.

23
 24 SECTION 13. Arkansas Code § 6-18-508(b), regarding alternative
 25 learning environments, is amended to read as follows:

26 (b) The alternative learning environment required by this section may
 27 be established by more than one (1) school district or may be operated by a
 28 ~~public school educational cooperative established under § 6-13-901 an~~
 29 education service cooperative established under § 6-13-1001 et seq.

30
 31 SECTION 14. Arkansas Code § 6-20-818(a) - (c), regarding loans to
 32 education service agencies, is amended to read as follows:

33 (c) The board of directors of any education service cooperative
 34 desiring to borrow money from the Revolving Loan Fund, acting through its
 35 executive director, shall file a formal application with the board. The
 36 application shall contain the following information:

- 1 (1) The name and location of the education service cooperative;
- 2 (2) The date and place of the meeting of the board at which
- 3 action was taken authorizing the director to make formal application for a
- 4 loan;
- 5 (3) The estimated amount which it proposes to borrow, together
- 6 with supporting evidence upon which the estimate is based;
- 7 (4) The purpose for which the proceeds of the loan would be
- 8 used;
- 9 (5) The security for the loan and the method and schedule for
- 10 repayment; and
- 11 (6) Such additional information as may be required by the board.

12

13 SECTION 15. Arkansas Code § 6-20-1503 is amended to read as follows:
 14 6-20-1503. State Insurance Department - Powers and duties regarding
 15 insurance for public elementary and secondary schools.

16 It shall be the power and duty of the State Insurance Department to:

- 17 (1) Adopt such rules and regulations as may be necessary to
- 18 provide for the insuring of public elementary and secondary school,
- 19 ~~educational~~ education service cooperative, and open-enrollment charter school
- 20 property within the State of Arkansas;
- 21 (2) Administer the Public Elementary and Secondary School
- 22 Insurance Fund;
- 23 (3) Delegate responsibilities in connection with the
- 24 administration of this subchapter to the Director of the Risk Management
- 25 Division of the State Insurance Department and the staff of the department;
- 26 (4) Establish and administer a program of insurance to cover
- 27 buildings and contents of public school districts, education service
- 28 cooperatives, and open-enrollment charter schools of this state which have
- 29 elected to participate in a multischool insurance program. The programs shall
- 30 be in accordance with recognized and established insurance practices;
- 31 (5) Establish, and from time to time modify, the premium rates
- 32 to be charged for the various risks;
- 33 (6) Specify the form for insurance policies and other forms
- 34 required for the purposes of this subchapter;
- 35 (7) Purchase insurance in compliance with all state purchasing
- 36 laws from insurance companies authorized to do business in this state in

1 keeping with recognized principles of good risk management. The director
2 shall prescribe, from time to time, rules and regulations for placing and
3 handling the insurance;

4 (8) Employ necessary adjusters, engineers, appraisers, and other
5 personnel required in the administration of this subchapter;

6 (9) Engage in a program of prevention loss control to assist the
7 various public schools in improving and minimizing potential insurance
8 losses;

9 (10) Perform all additional powers and duties necessary to
10 maintain sound insurance underwriting practices recognized by good risk
11 management;

12 (11) Periodically review the status of the fund and the adequacy
13 of insurance premium rates and compare these rates with rates for comparable
14 risks for private insurance companies;

15 (12) Confer with superintendents and boards of directors of
16 school districts, the governing boards of education service cooperatives, and
17 open-enrollment charter schools concerning insurance practices of the various
18 districts, education service cooperatives, and open-enrollment charter
19 schools;

20 (13) Promulgate rules and regulations for the administration of
21 the state public school insurance program; and

22 (14) Perform other duties that will expedite the operation of
23 the Public Elementary and Secondary School Insurance Program.

24
25 SECTION 16. Arkansas Code § 6-20-1505 is amended to read as follows:
26 6-20-1505. Information to be furnished.

27 (a) The Director of the Risk Management Division of the State
28 Insurance Department, with the approval of the Insurance Commissioner, shall
29 require district school superintendents, county school supervisors, clerks,
30 or governing boards of the education service cooperatives or open-enrollment
31 charter schools to furnish the State Insurance Department a complete list
32 showing the location of every school building sixty (60) days prior to
33 entering the program and upon written request by the department.

34 (b) The department shall have authority to require each school
35 district, education service cooperative, or open-enrollment charter school to
36 furnish a complete report of its insurance program, including the expiration

1 dates of its contracts, a history of losses, or any additional information
 2 required by the insurer.

3
 4 SECTION 17. Arkansas Code § 6-20-1507(b) - (c), regarding insurance
 5 premium rate and payment, are amended to read as follows:

6 (b) School districts, education service cooperatives, or open-
 7 enrollment charter schools shall make payment of premium when demand is made
 8 as scheduled in the contract.

9 (c)(1) Any school district, education service cooperative, or open-
 10 enrollment charter school which does not pay the premium when due shall be
 11 charged a rate of interest at five percent (5%) per annum on all payments due
 12 and unpaid on the policy issued.

13 (2) The State Insurance Department may cancel insurance coverage
 14 for school districts, ~~educational~~ education service cooperatives, or open-
 15 enrollment charter schools that fail to pay the premium due within thirty
 16 (30) days.

17 (3) The department shall give thirty (30) days' notice before
 18 any cancellation for nonpayment.

19
 20 SECTION 18. Arkansas Code § 6-20-1508(a) and (b), regarding appraisal
 21 and payment of losses, are amended to read as follows:

22 (a) In the event of loss of school district, education service
 23 cooperative, or open-enrollment charter school property under the Public
 24 Elementary and Secondary School Insurance Program, the Public Elementary and
 25 Secondary School Insurance Fund shall pay the loss as specified in the
 26 contract.

27 (b) When an agreement as to the extent of loss or damage cannot be
 28 reached between the State Insurance Department and officials having charge of
 29 the property, the amount of the loss or damage shall be determined by three
 30 (3) appraisers, one (1) to be named by the department, one (1) by the school
 31 district, education service cooperative, or open-enrollment charter school
 32 governing board, and a third to be selected by the two (2) appointed
 33 appraisers, all of whom shall be disinterested persons and qualified from
 34 experience to appraise and value such property.

35
 36 SECTION 19. Arkansas Code § 6-20-1509 is amended to read as follows:

1 6-20-1509. Effect of federal assistance.

2 Any school district, education service cooperative, or open-enrollment
3 charter school which may receive financial assistance from the federal
4 government as a result of federal legislation pertaining to disasters shall
5 not be adversely affected as a result of any moneys due from the Public
6 Elementary and Secondary School Insurance Fund because of coverage by the
7 Public Elementary and Secondary School Insurance Program.

8
9 SECTION 20. Arkansas Code § 6-20-1513(a), regarding bond obligations,
10 is amended to read as follows:

11 (a) The State Insurance Department is authorized and directed to meet
12 legal requirements with reference to coverage on buildings as a result of
13 school district, education service cooperative, or open-enrollment charter
14 school bond obligations.

15
16 SECTION 21. Arkansas Code § 6-20-1806 is amended to read as follows:

17 6-20-1806. Services outside the scope of practice of auditors -
18 Prohibited activities.

19 A licensed certified public accountant or a licensed accountant in
20 public practice shall not provide the following nonaudit services to a school
21 district, ~~educational~~ education service cooperative, or charter school if the
22 licensed certified public accountant or the licensed accountant or his or her
23 firm is also the auditor of the school district, ~~educational~~ education
24 service cooperative, or charter school:

- 25 (1) Accounting and bookkeeping services;
- 26 (2) Financial information systems design and implementation;
- 27 (3) Appraisal, valuation, and actuarial services;
- 28 (4) Internal audit outsourcing services;
- 29 (5) Management or human resources functions;
- 30 (6) Broker or dealer, investment advisor, or investment banking
31 services; and
- 32 (7) Legal and expert services unrelated to the audit.

33
34 SECTION 22. Arkansas Code § 6-20-2202(a)(3)(A), regarding budget and
35 expenditure reports, is amended to read as follows:

36 (3)(A) The electronic format required by the department shall be

1 available for completion by school districts, open-enrollment charter
 2 schools, and ~~educational~~ education service cooperatives not later than August
 3 1 of each year.

4
 5 SECTION 23. Arkansas Code § 6-20-2204 is amended to read as follows:
 6 6-20-2204. Required training.

7 (a)(1)(A) The Department of Education shall establish two (2) tiers of
 8 required training.

9 (B) Both tiers of required training shall apply to public
 10 school districts, open-enrollment charter schools, and ~~educational~~ education
 11 service cooperatives.

12 (C)(i) At a minimum, two (2) persons per educational
 13 entity are required to attend an initial and annual Tier I training:

14 (a) The district superintendent or the
 15 ~~educational~~ education service cooperative director or the open-enrollment
 16 charter school director; and

17 (b) A person whose job responsibilities
 18 include preparing the budget or overall accounting responsibility.

19 (ii) The two (2) persons per educational entity
 20 required to attend the initial and annual Tier I training shall each obtain
 21 twelve (12) hours of initial training and instruction necessary to
 22 demonstrate basic proficiency as determined by the department, including, but
 23 not limited to:

24 (a) School laws of Arkansas;

25 (b) Laws and rules governing the expenditure
 26 of public education funds, fiscal accountability, and school finance;

27 (c) Ethics; and

28 (d) Financial accounting and reporting of
 29 schools, school districts, open-enrollment charter schools, and education
 30 service cooperative expenditures.

31 (2) Each year thereafter, the district superintendent, the
 32 ~~educational~~ education service cooperative executive director, or open-
 33 enrollment charter school director and the person whose job responsibilities
 34 include preparing the budget or overall accounting responsibility who have
 35 already attended the initial and Tier I training shall obtain by December 31
 36 of each calendar year four (4) hours of annual training and instruction as

1 required by the department in order to maintain basic proficiency in the
 2 topics described in subdivision (a)(1) of this section.

3 (3)(A) The instruction may be provided by an institution of
 4 higher education in this state, from instruction sponsored by the department,
 5 by an in-service training program conducted by the Arkansas Association of
 6 School Business Officials, or from another provider.

7 (B) To satisfy the training and requirements under this
 8 subsection, any provider other than the department shall apply for and
 9 receive preapproval by the department as to the form and content of the
 10 training and instruction before they are offered as training and instruction
 11 to comply with the provisions of this subsection.

12 (4)(A) If a person fails to obtain the required Tier I training
 13 by the end of the calendar year and fails to cure the deficiency by March 1
 14 of the following calendar year without filing a request for extension of time
 15 as determined from the records of the department, the department shall
 16 immediately notify the superintendent of the employing school district, the
 17 director of the open-enrollment charter school, or the director of the
 18 education service cooperative by certified mail, return receipt requested,
 19 with a copy to the board president.

20 (B)(i) The superintendent of the school district, the
 21 director of the open-enrollment charter school, or the education service
 22 cooperative executive director shall notify the person by certified mail,
 23 return receipt requested, and the person shall be unable to continue in his
 24 or her position from the date of receipt of notification by the
 25 superintendent of the school district, the director of the open-enrollment
 26 charter school, or the education service cooperative executive director.

27 (ii) Any person receiving notice that he or she
 28 shall be unable to continue in his or her position solely because of his or
 29 her failure to obtain the required training may request a hearing before the
 30 State Board of Education prior to his or her permanent dismissal.

31 (5) If the person fails to obtain all required training by
 32 December 31, this failure shall constitute one (1) citation against the
 33 school district or the open-enrollment charter school as measured by the
 34 Standards for Accreditation of Arkansas Public Schools issued by the
 35 department or an admonishment to the education service cooperative by the
 36 department.

1 (6) If the person is unable to obtain the required training
 2 because of military service or illness as verified by a written sworn
 3 statement of the person's attending physician, the department shall grant an
 4 extension permitting the person additional time to obtain the required
 5 training. The issuance of an extension shall not constitute a citation
 6 against the school district as measured by the Standards for Accreditation of
 7 Arkansas Public Schools issued by the department or the education service
 8 cooperative and shall not operate to remove the person from his or her job.

9 (b)(1) Tier II training shall include, but not be limited to,
 10 employees who do not make decisions about selecting codes or who have a
 11 limited number of codes that they can use.

12 (2) Tier II training shall be developed by the department in
 13 cooperation with representatives from the Arkansas Association of Educational
 14 Administrators, the Arkansas Association of School Business Officials, the
 15 Arkansas Education Association, the Legislative Joint Auditing Committee, and
 16 the ~~educational~~ education service cooperatives.

17 (3) The training shall be annual and shall be four (4) hours.

18 (4) Districts shall be responsible for providing the training to
 19 these employees.

20 (5) District trainers are required to attend Tier I training and
 21 annual updates as required by the department under this subsection and
 22 subsection (a) of this section.

23 (c)(1) Each school district, open-enrollment charter school, or
 24 education service cooperative shall maintain files and records indicating all
 25 employees who are required to obtain and who have completed Tier II training.

26 (2) Each district superintendent, open-enrollment charter school
 27 director, or ~~educational~~ education service cooperative executive director
 28 shall provide the department an assurance statement regarding the completion
 29 of Tier II training by the required individuals.

30 (d) The State Board of Education shall modify the Standards for
 31 Accreditation of Arkansas Public Schools issued by the department as may be
 32 required by this section.

33 (e) It is the responsibility of the department to receive and maintain
 34 records of instructional hours of Tier I training obtained under this
 35 section.

36 (f) The state board is authorized to promulgate rules and regulations

1 consistent with the provisions of this section.

2 SECTION 24. Arkansas Code § 6-20-2207(b)(2), concerning rule-making
 3 authority for financial accounting and reporting, is amended to read as
 4 follows:

5 (2) Prior to making an amendment to the handbook, the department
 6 shall provide written notice via a commissioner's memo to the school
 7 districts, open-enrollment charter schools, and ~~educational~~ education service
 8 cooperatives. Amendments, annual revisions, and financial accounting updates
 9 shall be effective on July 1 of the next fiscal year or ninety (90) days from
 10 the date of the commissioner's memo, whichever is later, unless:

11 (A) The Commissioner of Education declares that there is
 12 an emergency, at which time the change shall be effective immediately upon
 13 the date specified in the commissioner's memo;

14 (B) A new program or revenue source requires new
 15 accounting codes, at which time the change shall be effective immediately
 16 upon the date specified in the commissioner's memo; or

17 (C) The change affects only a few school districts and the
 18 school districts have mutually agreed to make the change. The changes shall
 19 be effective immediately upon the date specified in the commissioner's memo.
 20

21 SECTION 25. Arkansas Code § 6-21-109(b)(1), regarding rules and
 22 regulations governing public works projects, is amended to read as follows:

23 (b)(1) As used in this section, "public educational entities" means
 24 Arkansas public school districts, charter schools, ~~educational~~ education
 25 service cooperatives, or any publicly supported entity having supervision
 26 over public educational entities.
 27

28 SECTION 26. Arkansas Code § 6-21-110(a)(2), regarding rules and
 29 regulations governing disposition of school property, is amended to read as
 30 follows:

31 (2) As used in this section, "public educational entities" means
 32 Arkansas public school districts, charter schools, ~~educational~~ education
 33 service cooperatives, or any publicly supported entity having supervision
 34 over public educational entities. Public educational entity does not include
 35 institutions of higher education.
 36

1 SECTION 27. Arkansas Code § 6-21-703 is amended to read as follows:

2 6-21-703. Public School Motor Vehicle Insurance Program -
3 Participation.

4 (a) There is hereby established a Public School Motor Vehicle
5 Insurance Program for all school motor vehicles of participating public
6 school districts, ~~educational~~ education service cooperatives, and open-
7 enrollment charter schools in the State of Arkansas.

8 (b) Participation in the program provided for in this section shall be
9 optional with each school district, ~~educational~~ education service
10 cooperative, or open-enrollment charter school.

11
12 SECTION 28. Arkansas Code § 6-21-705(1), regarding the powers and
13 duties of the insurance commissioner, is amended to read as follows:

14 It shall be the power and duty of the Insurance Commissioner to:

15 (1) Establish in the State Insurance Department a program of
16 insurance to cover motor vehicles owned by public school districts,
17 ~~educational~~ education service cooperatives, and open-enrollment charter
18 schools. The program shall be in accordance with recognized and established
19 insurance practices;

20
21 SECTION 29. Arkansas Code § 6-21-709(d), regarding the payment of
22 insurance premiums, is amended to read as follows:

23 (3) The department may cancel insurance coverage for school
24 districts, ~~educational~~ education service cooperatives, or open-enrollment
25 charter schools that fail to pay the premium due within thirty (30) days.

26
27 SECTION 30. Arkansas Code § 6-24-102(17(A), regarding definitions for
28 ethical guidelines and prohibitions, is amended to read as follows:

29 (17)(A) "Public educational entity" means Arkansas public school
30 districts, charter schools, ~~educational~~ education service cooperatives, or
31 any publicly supported entity having supervision over public educational
32 entities.

33
34 SECTION 31. Arkansas Code § 6-24-120 is amended to read as follows:
35 6-24-120. Penalties.

36 (a) Any board member, administrator, employee, or nonemployee of a

1 public school district, ~~educational~~ education service cooperative, or charter
 2 school who knowingly and intentionally violates the provisions of § 6-17-
 3 301(c) or (d), § 6-13-620(b) or (c), or § 6-20-1201(b) shall be guilty of an
 4 unclassified misdemeanor and subject to a fine in the amount of one thousand
 5 dollars (\$1,000).

6 (b) Any board member of a public school district, ~~educational~~
 7 education service cooperative, or charter school who shall knowingly and
 8 intentionally violate the provisions of § 6-17-301(c) or (d), § 6-13-620(b)
 9 or (c), or § 6-20-1201(b) shall be subject to removal from office under § 6-
 10 13-612.

11
 12 SECTION 32. Arkansas Code § 6-47-502(a), regarding distance learning
 13 grants, is amended to read as follows:

14 (a)(1) The Department of Education shall develop grant standards and
 15 provide grants to education service cooperatives for acquiring equipment and
 16 receiving telecommunications services necessary for each school district to
 17 have distance learning availability.

18 (2) The grants shall be used to assist school districts that do
 19 not have distance learning capabilities and to assist school districts in
 20 upgrading existing distance learning capabilities.

21 (3) The grants shall also be used by the education service
 22 cooperatives to provide technical assistance to the school districts in
 23 implementing and maintaining distance learning as an educational tool.

24
 25 SECTION 33. Arkansas Code § 6-47-502(c), regarding distance learning
 26 grants, is amended to read as follows:

27 (c) Education service cooperatives and school districts shall
 28 coordinate with the department to seek to obtain the benefits of the Federal
 29 Communications Commission's E-rate discount program.

30
 31 SECTION 34. Arkansas Code § 6-47-503 is amended to read as follows;
 32 6-47-503. Distance learning consortiums.

33 School districts shall form collaborative efforts with other schools or
 34 education service cooperatives or both other schools and education service
 35 cooperatives that share common educational needs in order to ensure that the
 36 state maximizes distance learning services by distributing shared course

1 content.

2

3 SECTION 35. Arkansas Code § 6-52-207(b), regarding apprenticeship
4 training programs, is amended to read as follows:

5 (b) A program must be co-sponsored by a public school district, an
6 ~~educational~~ education service cooperative, a state postsecondary institution,
7 a vo-tech school, or a two-year community college pursuant to a contract
8 between the district or institution and an apprenticeship program sponsor.

9

10 SECTION 36. Arkansas Code § 10-3-402(f)(6), regarding the Legislative
11 Joint Auditing Committee, is amended to read as follows:

12 (6) "School" means any public school district, charter school,
13 or ~~educational~~ education service cooperative, or any publicly supported
14 entity having supervision over public educational entities.

15

16 SECTION 37. Arkansas Code § 10-4-402(a)(7), regarding the division of
17 Legislative Audit, is amended to read as follows:

18 (7) "School" means any public school district, charter school,
19 or ~~educational~~ education service cooperative, or any publicly supported
20 entity having supervision over public educational entities.

21

22 SECTION 38. Arkansas Code § 14-77-102(1)(A), regarding local fiscal
23 management and responsibility, is amended to read as follows:

24 (A) For school districts, an "executive officer" is the
25 superintendent of the school or the executive director of the ~~educational~~
26 education service cooperative;

27

28 SECTION 39. Arkansas Code § 19-2-502 is amended to read as follows:
29 19-2-502. Definitions.

30 As used in this subchapter, "public entity" means state agencies,
31 including all constitutional offices and agencies, boards, and commissions,
32 state institutions of higher education, municipalities, counties, school
33 districts, ~~educational~~ education service cooperatives, improvement districts,
34 and other public officials or public offices. Public entities shall maintain
35 records of all transactions with financial institutions.

36

1 SECTION 40. Arkansas Code § 20-47-506(c), regarding Regional Child and
 2 Adolescent Service System Program Coordinating Council planning teams, is
 3 amended to read as follows:

4 (c) The regional program planning teams shall include agency
 5 representatives from the community mental health centers, the Division of
 6 Developmental Disabilities Services, the Division of Children and Family
 7 Services, the Division of Health of the Department of Health and Human
 8 Services, the local school districts or ~~educational~~ education service
 9 cooperatives, and any willing provider.

10
 11 SECTION 41. Arkansas Code § 21-4-215(a)(4) and (5), regarding state
 12 employee leave for bone marrow or organ donation, are amended to read as
 13 follows:

14 (4) "Public school" means any public school or ~~educational~~
 15 education service cooperative located in the State of Arkansas;

16 (5) "Public school employee" means a full-time employee of a
 17 public school or ~~educational~~ education service cooperative;

18
 19 SECTION 42. Arkansas Code § 21-8-701(a)(8), regarding persons required
 20 to disclose conflicts of interest, is amended to read as follows:

21 (8) ~~Directors~~ Executive directors of ~~educational~~ education
 22 service cooperatives; and

23
 24 SECTION 43. Arkansas Code § 24-2-302(3)(C)(vi), regarding the
 25 classification of members in the public employee retirement system, is
 26 amended to read as follows:

27 (vi) Regional ~~educational~~ education service
 28 cooperatives; and

29
 30 SECTION 44. Arkansas Code § 24-7-202(12)(A)(vi), regarding the
 31 Arkansas Teacher Retirement System, is amended to read as follows:

32 (vi) Regional education service cooperatives; and

33
 34 SECTION 45. Arkansas Code § 25-30-102(b), regarding powers and duties
 35 of the State Board of Workforce Education and Career Opportunities, is
 36 amended to read as follows:

1 (b) The State Board of Workforce Education and Career Opportunities
 2 shall develop and monitor a state plan for vocational-technical education
 3 which shall include the establishment of at least one (1) area vocational
 4 center in each ~~educational~~ education service cooperative service area and in
 5 Pulaski County. All policy issues affecting the public schools will be
 6 developed by the State Board of Workforce Education and Career Opportunities
 7 after consultation with the State Board of Education and implemented in
 8 coordination with the Department of Education or the education service
 9 cooperatives, or both.

10
 11 SECTION 46. Arkansas Code § 26-51-420 is amended to read as follows:
 12 26-51-420. Deductions - Education service cooperatives contributions.

13 Education service cooperatives created pursuant to § 6-13-1001 et seq.
 14 ~~or Act 103 of the First Extraordinary Session of 1983~~ are hereby declared
 15 instrumentalities and political subdivisions of the State of Arkansas, and
 16 all contributions and donations made to them ~~during~~ during calendar year 1992 and in
 17 any calendar year ~~thereafter~~ shall be deductible from the Arkansas income tax
 18 levied by § 26-51-201 et seq.

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 20 APPROVED: 3/28/2007
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