

HOUSE AMENDMENT 1 TO hb2230.

deleting lines 32 through 36 on page 2 and lines 1 through 7 on page 3 and substituting therefor the following:

"SECTION 3. Basic Program Provision.

(a) It is the purpose of this act to assist the state in the improvement of educational and training opportunities for all citizens in establishing the Division of Lifelong Learning and Workforce Preparation with focus in developing and providing effective programs for:

(1) adults who lack the level of literacy skills requisite to effective citizenship and employment;

(2) public school youth K through 12 for continuing and expanding established vocational workforce preparation courses and leadership training;

(3) business, industry and all work places that need access to continuing adult education/training opportunities for an effective workforce throughout the state.

(b) The division will eliminate such organizations and/or programs which provide a duplication of services and promote greater budgetary efficiency in coordination of continuing education programs.

(c) The Division of Lifelong Learning and Workforce Preparation will:

(1) Provide an Educational Research and Curriculum Development Section responsible for developing comprehensive, planned programs with effective evaluation and accountability measures for continuing education and workforce preparation skills courses; The Research and Curriculum Development Section will serve as a resource center and coordinate with the advisory council in program planning thereby eliminating separately funded agencies for "Adult Education Resource Center" and the "Governor s Commission on Adult Literacy";

(2) Provide Adult Basic Education Section (A.B.E.) for coordination of funding and evaluation of A.B.E. Programs; A.B.E. will enable disadvantaged adults to acquire or improve their basic educational skills necessary for literate functioning and employability; A.B.E. shall coordinate adult education programs on grade levels 0 through 8 including Life Skills, English as a Second Language, Literacy, Employability Skills, Communication Skills, and Workplace Skills; the Adult Basic Education Section will include Arkansas Literacy Councils within the umbrella for purposes of coordination and accountability thereby eliminating a separately funded state office for Arkansas Literacy Council;

(3) Provide General Adult Education Section (G.A.E.) for coordination and evaluation of G.A.E. programs; General Adult Education will enable adults to continue their education to at least the level of completion of secondary school, to enter higher

institutions of learning, enter vocational training school, to update their knowledge for making transition, and for employability; G.A.E. shall coordinate adult general education on grade levels 9 through 12.9 to include G.E.D. Testing, G.E.D. Courses in Reading, Mathematics, Social Studies, Science, Literature, Writing, Language Arts, Communications, English As A Second Language, Computer Technology and Workforce Education;

(4) Provide Workforce Preparation Section for greater coordination, evaluation, and expansion of established vocational programs in public schools for grades kindergarten (K) through twelve (12); Workforce Preparation programs include Home Economics, Agriculture, Career Orientation, Computer Technology, etc.; Leadership Development Workshops will be instated for all youth in grade levels 1 through 12 to provide education in Decision-Making, Problem-Solving, Communication, Interpersonal Relations, and Social/Cultural Understanding;

(5) Provide Vocational/Technical Training Section for continuing established operation, coordination, and evaluation of Secondary Vocational Training Centers, Technical Institutes, Vocational Schools, Community Colleges and all currently funded vocational programming; to provide continuing vocational education and training or retraining vocational certification in trades and industrial workforce; to provide Arkansas Business and Industry with access to vocational education program planning in meeting the public need for Workforce Skills. Technological Training/ Retraining of employees in the workplace, to develop, organize, and coordinate workforce education and training for employees with business, industry, and all workplaces throughout the state utilizing the "Workforce Alliance for Growth in Economy Program" (W.A.G.E.), as a model for implementation;

(6) Provide continuing education/training for state welfare eligibles and the unemployed and all other eligibles seeking to be trained or retrained for employment; any person between the ages of sixteen (16) and sixty-seven (67) years of age who receives public assistance, who does not possess a high school diploma or its equivalent and who is not enrolled in a full-time public or private school sanctioned by the State Department of Education, shall be required to enroll in classes in a certified local adult education program and attend at least forty (40) hours per month and show progress. When feasible, said recipients shall participate in full-time programs. It shall be the responsibility of the local D.H.S. officials to contact local adult education officials to enroll the client in an instructional activity commensurate with their capacity to participate and to monitor each client s attendance per month and adjust his/her supplemental benefits accordingly. Those persons who lack transportation, who are gainfully employed, who have childcare responsibilities and other legitimate reasons, may be eligible to participate in a "Home Study" program involving instruction and guidance. Adult education officials shall determine individual educational activities and the recipient shall provide a monthly report of progress for gainful employability.

SECTION 4. Definitions. As used in this act:

(1) The term "Lifelong" or "Lifelong Learning" is all encompassing of continuing education life long for adults who have attained sixteen (16) years of age and beyond;

(2) "Adult" means an individual who has attained sixteen (16) years of age or who is beyond the age of compulsory school attendance under state law.

(3) "Adult education" means services or instruction below the college level for adults:

(A) who are not enrolled in secondary school;

(B) who lack sufficient mastery of basic educational skills to enable them to function effectively in society or who do not have a certificate of graduation from a school providing secondary education; who have not achieved an equivalent level of education;

(C) who are not currently enrolled or required to be enrolled in school; and

(D) whose lack of mastery of basic skills results in an inability to speak, read, or write the English language which constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, and thus are in need of programs to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others.

(4) "Comprehensive lifelong learning center" means a program in the local communities which is sponsored by a public school, county board of education, vocational school or community college, which is housed in a public building, including but not limited to a public elementary or secondary school, community center, community or junior college, business or industry workplace training centers, operated in conjunction with other groups in the community, community organizations, and local government agencies, to provide educational, recreational, and vocational skills training, which the center serves in accordance with the needs, interests, and concerns of that community and/or workplace.

SECTION 5. State Board of Lifelong Learning and Workforce Preparation.

(a) The State Board of Lifelong Learning and Workforce Preparation is hereby created.

(b) The State Board of Lifelong Learning and Workforce Preparation shall, on the effective date of this act, become vested with, and succeed to, all the rights, titles, powers, interests, obligations, duties, and responsibilities of the State Board of Vocational Education, unless otherwise provided for in this act; the State Board of Vocational Education shall be abolished as a separate board.

(c) Board Members and Meetings.

(1) Board of Lifelong Learning and Workforce Preparation shall consist of seven (7) members designated by the Governor from among the members currently serving on the current State Board of Vocational Education.

(2) The seven (7) members of the Board of Lifelong Learning and Workforce Preparation shall always be members, also, of the State Board of Education and the terms of

office of these seven (7) members shall run concurrently with the terms on the State Board of Education.

(3) In addition to the qualifications set forth for the State Board of Education, the members of the Board of Lifelong Learning and Workforce Preparation shall also have business or industry experience. Their successors shall also have the same qualifications. It is the specific intent of this act that at least four (4) members of the State Board of Education shall have experience with community technical institutes, comprehensive lifelong learning centers, or have been recommended to the Governor by the Director of the Division of Lifelong Learning and Workforce Preparation.

(4) The terms of the members of the board shall be ten (10) years.

(5) The Board shall elect from its own number a chairman and such other officers as may be as may be necessary to carry on its business.

(6) The Board shall meet at least once during the calendar quarter and at such other times upon the call of the chairman or any other six (6) members.

(7) The Board may, at such times as it desires, meet on the campuses or at the facilities of the respective entities in the Lifelong Learning and Workforce Preparation system.

(8) Members of the Board shall serve without compensation but shall be reimbursed for their actual expenses attending meetings of the Board and performing their official duties.

SECTION 6. Duties and Powers of the State Board.

(a) The State Board of Lifelong Learning and Workforce Preparation Division, shall have the power, authority, and duties now conferred by law on the State Board of Vocational Education.

(b) These duties shall include, but are not limited to, the authority now held by the State Board of Vocational Education concerning adult education, secondary vocational technical schools, technical institutes, public schools and rehabilitation services.

(c) The State Board of Lifelong Learning and Workforce Preparation shall be the sole state agency pursuant to Arkansas Code 6-11-106 designated to receive and administer any and all federal funds made available to this state for the purpose of assisting the state or school districts in providing for the extension of vocational and adult education. Administration of these funds shall be in accordance to the distribution regulations or federal law.

(d) Those federal vocation funds appropriated at the state level to support programs offered by institutions of higher education, including technical colleges and community colleges, and for other administrative and discretionary purposes shall be placed under the jurisdiction and control of the State Board of Lifelong Learning and Workforce preparation.

(e) The State Board of Lifelong Learning and Workforce Preparation is hereby

designated as the agency to receive the funds allocated to the state pursuant to the provisions of 20 U.S.C. §2351 et seq.

(f) Job Training Partnership Act funds will continue to be distributed pursuant to existing Arkansas and Federal laws.

(g) The Board, as herein created shall take possession of all records, files, books, paper, furniture, fixtures, and contracts of the State Board of Vocational Education.

(h) Approval by the State Board of Lifelong Learning and Workforce Preparation is required for all academic degrees and certificates at the associate level and higher. It is the intent of this act that the Director of the Division of Lifelong Learning and Workforce Preparation hold a valid Arkansas Teaching Certificate with certification in the field of Adult Education. Nothing in this act shall be construed to the contrary.

SECTION 7. Division of Lifelong Learning and Workforce Preparation.

(a) There is created a Division of Lifelong Learning and Workforce preparation in association with the State Department of Education.

(b) The Division of Lifelong Learning and Workforce Preparation shall, on the effective date of this act, become vested with, and succeed to, all rights, titles, powers, interest, obligation, duties, and responsibilities of the Vocational-Technical Education Division of the State Department of Education. The Vocational-Technical Division of the State Department of Education shall be abolished.

(c) The executive head of the Division of Lifelong Learning and Workforce Preparation shall be employed by the State Board of Lifelong Learning and Workforce Preparation, subject to confirmation by the Governor.

(d) All personnel of the Division shall be employed by the Director, subject to confirmation by the State Board of Lifelong Learning and Workforce Preparation; provided, nothing in this section shall be so construed as to reduce any right which an employee shall have under any civil service or merit system.

SECTION 8. System Name.

All courses, programs, institutions, and components within the jurisdiction of this board shall be identified and administered as the Arkansas Lifelong Learning and Workforce Preparation Division within the State Department of Education.

SECTION 9. Coordination with other boards.

All future mergers or consolidations of state-supported post secondary vocational-technical entities with existing technical or community colleges or with four-year institutions shall be subject to the approval of the State Board of Lifelong Learning and Workforce Preparation, the State Board of Education, and the North Central Association.

SECTION 10. Advisory Council.

A state advisory council consisting of fifteen (15) members will be appointed by the State Board of Lifelong Learning and Workforce preparation to assist the division in program development in meeting new trends in lifelong learning and workforce preparation. One (1) member from each of the following entities will be selected: Arkansas Industrial Development Commission, Agricultural Extension Service, Employment Security Division, Department of Human Services, Rehabilitation Services, the Department of Higher Education, the Department of General Education, and the Department of Lifelong Learning and Workforce Preparation. Two (2) members will be selected from Public School Administrators and five (5) members will be selected from the private business and industry sector. The Advisory Council shall elect a chairman and such other officers as necessary for conducting business. The Advisory Council will meet with the State Board of Lifelong Learning and Workforce Preparation twice a year. Special meetings may be called when deemed necessary. Each member will serve a three year term.

SECTION 11. Division Personnel Qualifications.

The Division Director and Deputy directors shall be employed by the State Board of Lifelong Learning and Workforce Preparation. The Division Director shall hold a Doctoral Education Administration Degree with Arkansas Certification and twelve (12) years experience in administration with Lifelong Learning program or Vocational School. The Deputy Director over academic Lifelong Learning shall hold a Master s Education Degree with Arkansas Teaching Certificate with Arkansas certification in the field of Adult Education and have attained six (6) years experience in Adult Education program administration. The deputy Director of Vocational Workforce preparation shall hold a Master s Education Administration Degree with Arkansas Certification in Vocational Skills Training and six (6) years experience in administration with Vocational/Technical School. The Division Section Managers shall hold a Bachelor s Education Degree and above, with Arkansas Teaching Certificate and Arkansas Certification in the field of Adult Education.

SECTION 12. Funds.

All funds appropriated to and all personnel positions authorized for the Vocational-Technical Division of the State Department of Education for staffing and operating the Division for the biennial period ending June 30, 1997, are hereby transferred and shall be made available to fund and staff the Division of Lifelong Learning and Workforce Preparation.

SECTION 13. Workforce 2000 Funds.

(a) The State Board of Lifelong Learning and Workforce Preparation shall have the authority to establish distribution criteria for that 25.55% of Workforce 2000 funds designated for technical institutes and comprehensive lifelong learning centers.

(b) The State Board of Higher Education shall continue to have authority to

establish distribution criteria for that 74.45% of Workforce 2000 funds designated for technical colleges.

SECTION 14. Coordination and Cooperation.

To assure that the workforce development needs of Arkansas are met efficiently and effectively, the State Board of Lifelong Learning and Workforce Preparation shall meet annually with the State Board of Education and the State Board of Higher Education. Directors of the Departments of Lifelong Learning and Workforce Preparation, Education, and Higher Education shall meet at least quarterly to identify and address issues across the Arkansas education system that affect the quality of workforce development throughout the state.

SECTION 15. Terminology.

(a) Except for those repealed by this act, all references in Arkansas Code of 1987 to the State Board of Vocational-Technical Education shall mean the State Board of Lifelong Learning and Workforce Preparation.

(b) Except for those repealed by this act, all references in the Arkansas Code of 1987 to the Vocational-Technical Division of the Department of Education shall mean the Division of Lifelong Learning and Workforce Preparation with the State Department of Education.

(c) Except for those repealed by this act, all references in the Arkansas Code of 1987 to "vocational education division", "State Board of Vocational Technical Division", and all other like terms shall, unless the context otherwise requires, be construed to refer to the provisions of this act.

SECTION 16. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 17. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 18. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 19. EMERGENCY. It is found and determined by the General Assembly of the State of Arkansas that this act creates the Division of Lifelong Learning and Workforce Preparation and for the effective administration of this act, it is necessary for this act

to become effective on July 1, 1997. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on July 1, 1997."