

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 912

"AN ACT TO EXPAND THE PURPOSE OF THE ARKANSAS SCHOOL FOR
MATHEMATICS AND SCIENCE TO INCLUDE FINE AND PERFORMING ARTS."

Amendment No. 2 to Senate Bill No. 912.

Amend Senate Bill No. 912 as engrossed, S3/26/03:

Add Representative R. Smith as a cosponsor of the bill

AND

Delete the title and substitute the following:

"AN ACT TO MERGE THE ARKANSAS SCHOOL OF MATHEMATICS AND SCIENCES WITH THE
UNIVERSITY OF ARKANSAS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle and substitute the following:

"AN ACT TO MERGE THE ARKANSAS SCHOOL OF MATHEMATICS AND SCIENCES WITH THE
UNIVERSITY OF ARKANSAS."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas School for Mathematics, Sciences, and the Arts.

(a) The Board of Trustees of the University of Arkansas is authorized to establish and operate, as a part thereof, a campus to be known as the "Arkansas School for Mathematics, Sciences, and the Arts," consolidating and incorporating into the University of Arkansas the facilities of the state institution formally known as the "Arkansas School for Mathematics and Sciences" which, together with its board of trustees, is abolished as a separate institution effective January 1, 2004.

(b) On January 1, 2004 the Board of Trustees of the University of Arkansas shall be vested with, and succeed to, all the rights, titles, powers, interests, properties, assets, funds, and credits of the Arkansas School for Mathematics and Sciences and its board of trustees, including all rights, titles, and interests in and to all real and personal property acquired by or vested in that institution or its board of trustees.

(c) On January 1, 2004, the appropriate state officials are directed



to transfer all funds, appropriations, credits, and equities belonging to the Arkansas School for Mathematics and Sciences and its board of trustees so that the same shall be credited to and made available for the Board of Trustees of the University of Arkansas for use on its Arkansas School for Mathematics, Sciences, and the Arts campus.

(d) The Board of Trustees of the Arkansas School for Mathematics and Sciences shall, on January 1, 2004, relinquish all responsibility, control, and supervision concerning the Arkansas School for Mathematics and Sciences, and by delivery of the assets, books of accounts, and files of that institution to the Board of Trustees of the University of Arkansas shall be divested of all obligations and duties applicable to the Arkansas School for Mathematics and Sciences.

SECTION 2. Purpose – Location – Funding – Tuition.

(a) The Arkansas School for Mathematics, Sciences, and the Arts shall be a residential school for eleventh and twelfth grade students who exhibit outstanding academic credentials and who have the ability to undertake course work in an environment and with demands similar to those of a university.

(b)(1) The purposes of the school shall be to educate the gifted and talented math, science, and fine and performing arts students of the state and to develop curricula and materials to improve instruction in mathematics, sciences, and fine and performing arts for all students in the state.

(2) The school's curriculum, faculty, and admissions policies shall reflect the purposes described by this act.

(c) While the emphasis of the school shall be dedicated to the academic teaching of mathematics, sciences, and fine and performing arts, emphasis may also be placed upon other areas of the arts and humanities as deemed appropriate by the Board of Trustees of the University of Arkansas.

(d) The board of trustees shall maintain the Arkansas School for Mathematics, Sciences and the Arts in Hot Springs as a campus of the University of Arkansas offering at that location the highest possible quality of educational programs as set forth in this act.

SECTION 3. Board of Visitors.

(a)(1) There is established a Board of Visitors for the Arkansas School for Mathematics, Sciences, and the Arts.

(2) The persons serving on December 31, 2003 as members of the Board of Trustees of the Arkansas School for Mathematics and Sciences shall be members of the Board of Visitors for the Arkansas School for Mathematics, Sciences, and the Arts and shall continue to serve for a term equal to the unexpired portion of his or her term as a member of the Board of Trustees of the Arkansas School for Mathematics and Sciences.

(3) The board of visitors shall consist of seven (7) members appointed by the Governor for seven-year terms.

(4) As initial terms expire, and when vacancies occur, the Governor shall appoint persons to fill each vacancy for the remaining portion of the unexpired term.

(5) Appointments shall be for terms of seven (7) years or for the remaining portion of an unexpired term.

(b)(1) Members of the board of visitors appointed by the Governor, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2) One (1) member shall be appointed from each congressional district and the remaining members shall be appointed from the state at large.

(3) In addition to appointed members of the board of visitors, six (6) ex-officio non-voting members shall also serve on the board as follows:

- (A) The Director of the Department of Education;
- (B) The Director of the Department of Higher Education;
- (C) The President of the Arkansas Science and Technology

Authority;

- (D) The Director of the Department of Arkansas Heritage;
- (E) The President of the Parent Association of the school;

and

- (F) The President of the Student Government of the school.

(4) The terms of office of an ex-officio non-voting member shall continue so long as he or she occupies the position or office.

(c)(1) The board of visitors shall meet quarterly and shall elect from its voting members a chair, a vice chair, and a secretary.

(2) Regular minutes of its meetings shall be preserved.

SECTION 4. Board of visitors – Purposes.

(a)(1) The general purpose of the Board of Visitors for the Arkansas School for Mathematics, Sciences, and the Arts is to perform a liaison function between the school, parents, and other constituents, through the administrator of the school and the Board of Trustees of the University of Arkansas.

(2) The board of visitors shall assist in securing financial support for the institution, advise the administrator and the President and the Board of Trustees of the University of Arkansas as to the educational and service needs of the school, to aid in the orderly transition of the school as it becomes a campus of the University of Arkansas, and to furnish counsel and guidance, by advice and recommendations, for the school and its administrator.

(3) Without limiting the generality of the purposes described in this section, the board of visitors shall:

(A) Give detailed study to reports and issues placed before it by the administrator of the school;

(B) Formulate and transmit to the administrator its advice and recommendations on any matter of importance to the students, parents, or other constituents of the school;

(C) Keep informed on such matters as are necessary to promote the educational aims of the school for the benefit of the student;

(D) Study plans submitted by the administrator for furthering the growth and insuring the quality of the school;

(E) Transmit their views for consideration by the administrator and the President and the Board of Trustees of the University of Arkansas;

(F) Participate in securing the continued financial support for the school;

(G) Accept and execute specific assignments made by the Board of Trustees of the University of Arkansas and the President of the University of Arkansas;

(H) Review and provide recommendations to the administrator regarding the school's operating budget priorities; and
(I) Promote, in diverse ways, the growth and development in excellence of the school and the University of Arkansas in general.

(4) Communications, including advice and recommendations, from the board of visitors shall be transmitted through the administrator of the school and by him or her through the President of the University of Arkansas to the Board of Trustees of the University of Arkansas.

(b) The school shall be funded by monies appropriated by the General Assembly for the operation of the school and by grants, contributions, or donations which may be received for the support of the school.

(c) Students selected to attend the school shall not be required to pay tuition, fees, or room and board.

(d) Any student who is a senior at the school shall have the option of participating in activities and events with, and in the same manner as, other members of the graduating class in his or her home school district, including, but not limited to, the following:

- (1) The prom or banquet;
- (2) Class day activities;
- (3) Graduation activities;
- (4) Recognition as a honor graduate, except as valedictorian or salutatorian; and
- (5) Class pictures, including yearbook and composite pictures.

SECTION 5. Administrator-Staff.

(a)(1) The Administrator of the Arkansas School for Mathematics, Sciences, and the Arts shall be the chief administrative officer of the school and shall administer the school in accordance with policies established by the Board of Trustees of the University of Arkansas.

(2) The administrator shall be employed by the board of trustees after appropriate advice and counsel of the Board of Visitors of the Arkansas School for Mathematics, Sciences, and the Arts.

(b) Upon recommendation of the administrator, the board of trustees shall employ such other personnel as it deems necessary for the operation of the school.

(c)(1) Instructors shall be employed by the board of trustees and shall have such rights, privileges, and obligations as the board of trustees shall determine, provided that they shall not be eligible for tenure nor carry professional rank.

(2) In the event policies of the board of trustees conflict with existing law with respect to terms and conditions of employment of instructors and staff the policies shall control.

(d) Instructors and staff of the school shall continue to be eligible for membership in the Arkansas Teacher Retirement System and earn credited service for employment at the school or at their election shall be eligible to participate in the retirement system of the University of Arkansas.

SECTION 6. Department of Education regulations.

All Department of Education regulations shall apply to the Arkansas School for Mathematics, Sciences, and the Arts unless the department determines otherwise or unless the regulations conflict with governance of the school by the Board of Trustees of the University of Arkansas and the

purposes and intent of this act.

SECTION 7. Effective January 1, 2004, Arkansas Code §§ 6-42-201 through 6-42-206 are repealed.

~~6-42-201. Establishment — Purpose — Location — Funding — Tuition.~~

~~(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.~~

~~(b)(1) The purposes of the school shall be to educate the gifted and talented math and science students of the state and to develop curricula 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 those purposes.~~

~~(2) 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.~~

~~(c) The school shall be located on the campus of an Arkansas institution of higher education or at some 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.~~

~~(d)(1) The school shall be funded by moneys appropriated by the General Assembly for the operation of the school and by grants, contributions, or donations which may be received for the support of the school.~~

~~(2) Students selected to attend the school shall not be required to pay tuition, fees, or room and board.~~

~~(e) Any student who is a senior at the school shall have the option of participating in activities and events with and in the same manner as other members of the graduating class in his or her home school district, including but not limited to the following:~~

~~(1) The prom or banquet;~~

~~(2) Class Day activities;~~

~~(3) Graduation activities;~~

~~(4) Recognition as an honor graduate, except as valedictorian or salutatorian; and~~

~~(5) Class pictures, including yearbook and composite pictures.~~

~~6-42-202. Board of trustees.~~

~~(a) The school shall be governed by a board of trustees.~~

~~(b)(1)(A) The board of trustees shall consist of seven (7) members, with one (1) member appointed from each congressional district and the remaining members appointed at large.~~

~~(B) The Governor shall appoint all seven (7) members of the board of trustees.~~

~~(C) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.~~

~~(2)(A) Five (5) ex officio nonvoting members shall also serve on the board.~~

~~(B) The Director of the Department of Education, the Director of the Department of Higher Education, the President of the Arkansas~~

~~Science and Technology Authority, the president of the school's parent association, and the president of the school's student government shall serve as the five (5) ex officio, nonvoting members of the board.~~

~~(c) Members shall serve seven year terms.~~

~~6-42-203. Powers and duties of the board of trustees.~~

~~(a) The board of trustees created under § 6-42-202 is charged with the management and control of the Arkansas School for Mathematics and Sciences.~~

~~(b) The board shall annually elect a chairman, a secretary, and such other officers as the board deems appropriate.~~

~~(c)(1) The board shall meet at least once a month.~~

~~(2) The chairman is authorized to call special meetings of the board as needed upon two (2) days' written notice to the members.~~

~~(3) Any three (3) board members are authorized to call special meetings of the board upon two (2) days' written notice to the members.~~

~~(d)(1) The board shall employ an administrator for the school, who may be removed by the board or the Governor.~~

~~(2) The Governor may designate the Director of the Department of Education to act in his stead.~~

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

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

~~(g) The members of the board may receive expense reimbursement in accordance with § 25-16-901 et seq.~~

~~6-42-204. Administrator — Staff.~~

~~(a) The administrator of the Arkansas School for Mathematics and Sciences shall be the chief administrative officer of the school and shall administer the school in accordance with policies established by the board of trustees.~~

~~(b)(1) Upon recommendation of the administrator, the board shall employ other personnel the board deems necessary for the operation of the school.~~

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

~~(3) The administrator and other personnel employed for the operation of the school shall be employees of the State of Arkansas.~~

~~(c)(1) Teachers and administrators so employed shall be eligible for membership in the Arkansas Teacher Retirement System and earn credited service for such employment.~~

~~(2) Noneducational personnel employed by the department shall be eligible for membership in the system and earn credit for such employment.~~

~~6-42-205. Technical assistance from state agencies.~~

~~The Department of Education, the Department of Higher Education, and the Arkansas Science and Technology Authority shall provide technical~~

~~assistance to the staff of the Arkansas School for Mathematics and Sciences.~~

~~6-42-206. Governance of school.~~

~~All Department of Education regulations shall apply to the Arkansas School for Mathematics and Sciences unless the department indicates otherwise.”~~

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator T. Smith

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Secretary