

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

A Bill

SENATE BILL 409

For An Act To Be Entitled

8 "AN ACT TO CREATE THE ARKANSAS ATHLETICS AND ACTIVITIES
9 BOARD; TO CREATE THE OFFICE OF ATHLETICS AND ACTIVITIES
10 WITHIN THE DEPARTMENT OF EDUCATION; AND FOR OTHER
11 PURPOSES."

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

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15 SECTION 1. PURPOSE. It is the purpose of this act to bring athletics
16 and other activities of public schools within the supervision of the State
17 Board of Education and the Department of Education. The General Assembly
18 finds that state supervision is desirable in order to bring athletics and
19 academics closer together and to provide a better forum for public input on
20 decisions concerning athletic programs.

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22 SECTION 2. For the purpose of this act:

23 (1) "Activity or activities" shall not include religious activities of
24 private schools;

25 (2) "Board" means the Arkansas Athletics and Activities Board created
26 by this act; and

27 (3) "School" means each public school district and any private school
28 electing to be covered by this act.

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30 SECTION 3. *The State Board of Education shall divide the state into*
31 *twenty-one (21) activity districts for the purpose of the selection of members*
32 *representing activity districts to the Arkansas Athletics and Activities Board*
33 *created in this act. Each activity district shall consist of substantially*
34 *the same number of schools.*

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1 SECTION 4. (a) There is created the Arkansas Athletics and Activities
2 Board. The board shall be composed of twenty-four (24) members as follows:

3 (1) One (1) board member shall be selected from each of the
4 twenty-one (21) activity districts and shall be elected by a majority vote of
5 the public schools and participating private schools in the district. Each
6 public school and each participating private school shall designate one (1)
7 administrator of the school to represent the school in the selection of a
8 board member from the activity district.

9 (2) Three (3) board members shall be selected from the state at-
10 large and shall be appointed by the Governor and shall be members of a racial
11 minority group.

12 (b) Except for at-large members, members of the board shall reside
13 within the activity district from which selected and shall be an administrator
14 of a school in the activity district. At-large members shall be residents of
15 the State of Arkansas and shall be an administrator of a school in Arkansas.

16 (c) Members shall serve for three (3) year terms. However, the terms
17 of the initial members shall be determined by the members by lot in such a
18 manner as to provide for eight (8) members serving for a term of one (1) year,
19 eight (8) members serving for a term of two (2) years and eight (8) members
20 serving a term of three (3) years.

21 (d) A member may serve for a maximum of two (2) consecutive terms.

22 (e) The members of the board, by majority vote, shall annually select
23 from the membership a chairman and such other officers as the board deems
24 appropriate.

25 (f) A vacancy on the board shall be filled for the unexpired term by
26 the method of selection provided for the vacant member and shall be filled by
27 a person with the same qualifications as the vacant member.

28 (g) Members of the board shall serve without compensation but shall be
29 entitled to mileage and per diem at the rate provided for state employees.

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31 SECTION 5. (a) Beginning with the 1992-93 school year, the board shall
32 regulate all athletic activities and other extracurricular activities of
33 public schools in this state and the activities of any private school which
34 elects to be included under the provisions of this act. A private school may
35 elect to be included for the purpose of all activities or may elect to be
36 included for the purpose of one or more athletic activities or extracurricular

1 activities.

2 (b) The board shall adopt regulations concerning the conduct of
3 activities. The regulations shall include but shall not be limited to the
4 following:

- 5 (1) the sanctioning of events;
 - 6 (2) eligibility rules for students;
 - 7 (3) athletic conference alignments;
 - 8 (4) the conduct of athletic tournaments; and
 - 9 (5) matters pertaining to contest or event referees and officials
- 10 for athletic or extracurricular activities.

11 (c) All rules and regulations of the board shall be promulgated
12 pursuant to the Administrative Procedure Act. Before any rule or regulation
13 becomes effective, it must be approved at an annual meeting of school
14 administrators. Each school shall designate one (1) administrator to
15 represent the school at the annual meeting. Rules and regulations approved at
16 the annual meeting shall become effective the next school year.

17 (d) For the purpose of defraying the cost of administering this act,
18 the board may adopt reasonable fees to be paid by participating schools. The
19 fees shall not become effective until approved by the State Board of
20 Education.

21 (e) Any final decision of the board may be appealed to the State Board
22 of Education.

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24 SECTION 6. There is created within the Department of Education an
25 office to be known as the "Office of Athletics and Activities". The director
26 and other employees of the office shall be employees of the Department of
27 Education.

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29 SECTION 7. (a) There is created a temporary advisory committee to be
30 known as the "Advisory Committee on Athletics and Activities." It shall be
31 the duty of the committee to advise the State Board of Education concerning
32 the formation of activity districts and to conduct the initial election for
33 the members representing activity districts to the Arkansas Athletics and
34 Activities Board. The committee shall cease to exist upon the election of the
35 initial members representing activity districts to the Arkansas Athletics and

1 *Activities Board.*

2 (b) The committee shall be composed of seven (7) regular members and
3 two (2) ex officio members.

4 (c) The seven (7) members shall be appointed as follows:

5 (1) The designee of the Director of the Department of Education
6 shall serve on the committee;

7 (2) The Arkansas Association of Educational Administrators shall
8 appoint one (1) member from each congressional district in the state; and

9 (3) The Arkansas High School Coaches Association shall appoint
10 one (1) coach of a boys' team and one (1) coach of a girls' team.

11 (d) The Speaker of the House of Representatives of the Arkansas General
12 Assembly shall appoint one (1) member of the House of Representatives to serve
13 as an ex officio member. The President Pro Tempore of the Senate shall
14 appoint one member of the Senate to serve as an ex officio member of the
15 committee.

16 (e) Members of the committee shall serve without compensation but shall
17 be entitled to mileage and per diem at the rate provided for state employees.

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19 SECTION 8. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 9. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

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29 SECTION 10. All laws and parts of laws in conflict with this act are
30 hereby repealed.

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32 /s/Todd
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