

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senators *Edwards, Lewellen, and Jewell***

# **A Bill**

**SENATE BILL 625**

## **For An Act To Be Entitled**

8 "AN ACT TO PROVIDE FOR THE CONSOLIDATION OF A  
9 POSTSECONDARY VOCATIONAL TECHNICAL SCHOOL AND A FOUR-YEAR  
10 INSTITUTION TO MORE EFFECTIVELY MEET THE EDUCATION NEEDS  
11 OF THE CITIZENS OF THIS STATE; TO PROVIDE FOR INTERIM  
12 GOVERNANCE AND ACCREDITATION; AND FOR OTHER PURPOSES."

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

16 SECTION 1. (a) Effective July 1, 1991, the State Board of Higher  
17 Education and the State Board of Vocational Education, upon approval of the  
18 board of trustees of the receiving institution, shall approve for  
19 consolidation of the Pines Vocational Technical School in Pine Bluff with the  
20 University of Arkansas - Pine Bluff campus. Consolidation shall occur upon  
21 the approval by the North Central Association - Commission on Institutions of  
22 Higher Education.

23 (b) The board of trustees of the four-year institution which receives  
24 the state-supported institution shall be responsible for the administration  
25 and operation of the state-supported institution.

26 (c) All records, personnel, property, unexpended balances of  
27 appropriations, allocations or other funds of the state-supported institution  
28 shall be transferred to the board of trustees.

29 (d) Any satellite campus of a four-year institution which fails to  
30 achieve higher education institutional accreditation from the North Central  
31 Association - Commission on Institutions of Higher Education which in six (6)  
32 years following the date of consolidation, shall be abolished by the State  
33 Board of Higher Education. All records, personnel, property, unexpended  
34 balances of appropriations, allocations or other funds of the satellite campus  
35 shall be transferred to the State Department of Higher Education.

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2           SECTION 2. (a) The State Board of Higher Education is hereby  
3 authorized to act as the legal entity, governing board and receiver of all  
4 property for any institution not accredited by North Central Association -  
5 Commission on Institutions of Higher Education and seeking merger or  
6 consolidation with an existing institution of higher education during the  
7 interim period when approval of institutional change from North Central  
8 Association - Commission on Institutions of Higher Education is being sought.

9           (b) Upon approval by NCA - CIHE, all records, personnel, property,  
10 unexpended balances, and all legal authority shall pass from the State Board  
11 of Higher Education to the legal entity governing the newly consolidated  
12 institution.

13           (c) The State Board of Higher Education is hereby authorized to provide  
14 accreditation for a period of up to six (6) years to any institution governed  
15 by the state board.

16           (d) Until such time as the State Board of Higher Education approves  
17 associate of applied science degrees for the institution identified herein, no  
18 change in the educational mission of those institutions is intended or  
19 authorized by this act. Therefore, the State Board of Vocational Education  
20 must show cause why accreditation of those institutions should not be  
21 continued and, further must provide twelve (12) month's notice of any action  
22 to withdraw its accreditation of those institutions.

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24           SECTION 3. (a) All employees who are employed by Pines Vocational  
25 Technical School converting to a satellite campus of the University of  
26 Arkansas at Pine Bluff under the provisions of this act, shall become  
27 employees of the satellite campus of the four-year institution under this act  
28 and shall continue their terms of employment and shall have all rights and  
29 benefits of employment, including retirement benefits, that they had when  
30 employed by the vocational-technical school.

31           (b) The director of Pines Vocational Technical School shall continue  
32 his term of employment and shall have all rights and benefits of employment,  
33 including retirement benefits, under this act and shall remain director of the  
34 institution resulting from the consolidation under this act.

35           (c) Any abolishment of a position in an institution operated as a  
36 vocational-technical school by an institution established under this act shall

1 require prior approval of the State Board of Higher Education during the five  
2 (5) years following the effective date of the consolidation.

3 (d) Nothing in this act shall be interpreted to provide any employee  
4 described herein with any employment rights or benefits greater than those  
5 employment rights or benefits to which all state employees are entitled.

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7 SECTION 4. Each instructor and administrative staff member of the Pines  
8 Vocational-Technical School employed on July 1, 1991, shall within ninety (90)  
9 days following the consolidation under this act elect either to continue  
10 membership in the retirement plan in which he or she was enrolled prior to the  
11 date of consolidation or transfer to the Teacher Retirement System or any  
12 alternate retirement plan currently established for the institution into which  
13 it is being consolidated. Once such election is made, the election is  
14 irrevocable during the tenure of employment with the institution.

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16 SECTION 5. The procedures and deadlines established in this act shall,  
17 for the purposes of this act, be in lieu of and supersede those set forth in  
18 existing laws of this state with respect to the establishment, organization  
19 and administration of vocational-technical postsecondary institutions.  
20 Existing laws of this state shall for the purposes of this act apply only in  
21 those situations which are not specifically provided for in this act and, when  
22 applied, shall be consistent, insofar as possible, with the purpose,  
23 procedures and deadlines contained in this act.

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25 SECTION 6. 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 7. 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 8. All laws and parts of laws in conflict with this act are  
36 hereby repealed.

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SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

*/s/Edwards et al*