

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Senator Todd**

# A Bill

**SENATE BILL 541**

## 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."

## Subtitle

14 "AN ACT TO CREATE THE ARKANSAS ATHLETICS AND ACTIVITIES  
15 BOARD AND THE OFFICE OF ATHLETICS AND ACTIVITIES OF THE  
16 DEPARTMENT OF EDUCATION."

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

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

27 SECTION 2. For the purpose of this act:

28 (1) "Activity or activities" shall not include religious activities of  
29 private schools;

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

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

35 SECTION 3. The State Board of Education shall divide the state into

1 twenty-one (21) activity districts for the purpose of the selection of members  
2 representing activity districts to the Arkansas Athletics and Activities Board  
3 created in this act. Each activity district shall consist of substantially  
4 the same number of schools.

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

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

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

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

21 (c) Members shall serve for three (3) year terms. However, the terms  
22 of the initial members shall be determined by the members by lot in such a  
23 manner as to provide for eight (8) members serving for a term of one (1) year,  
24 eight (8) members serving for a term of two (2) years and eight (8) members  
25 serving a term of three (3) years.

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

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

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

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

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1 SECTION 5. (a) Beginning with the 1994-95 school year, the board shall  
2 regulate all athletic activities and other extracurricular activities of  
3 public schools in this state and the activities of any private school which  
4 elects to be included under the provisions of this act. A private school may  
5 elect to be included for the purpose of all activities or may elect to be  
6 included for the purpose of one or more athletic activities or extracurricular  
7 activities.

8 (b) The board shall adopt regulations concerning the conduct of  
9 activities. The regulations shall include but shall not be limited to the  
10 following:

- 11 (1) the sanctioning of events;
- 12 (2) eligibility rules for students;
- 13 (3) athletic conference alignments;
- 14 (4) the conduct of athletic tournaments; and
- 15 (5) matters pertaining to contest or event referees and officials  
16 for athletic or extracurricular activities.

17 (c) All rules and regulations of the board shall be promulgated  
18 pursuant to the Administrative Procedure Act. Before any rule or regulation  
19 becomes effective, it must be approved at an annual meeting of school  
20 administrators. Each school shall designate one (1) administrator to  
21 represent the school at the annual meeting. Rules and regulations approved at  
22 the annual meeting shall become effective the next school year.

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

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

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30 SECTION 6. There is created within the Department of Education an  
31 office to be known as the "Office of Athletics and Activities." The director  
32 and other employees of the office shall be employees of the Department of  
33 Education.

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35 SECTION 7. (a) There is created a temporary advisory committee to be

1 known as the "Advisory Committee on Athletics and Activities." It shall be  
2 the duty of the committee to advise the State Board of Education concerning  
3 the formation of activity districts and to conduct the initial election for  
4 the members representing activity districts to the Arkansas Athletics and  
5 Activities Board. The committee shall cease to exist upon the election of the  
6 initial members representing activity districts to the Arkansas Athletics and  
7 Activities Board.

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

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

11 (1) The designee of the Director of the Department of Education  
12 shall serve on the committee;

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

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

17 (d) The Speaker of the House of Representatives of the Arkansas General  
18 Assembly shall appoint one (1) member of the House of Representatives to serve  
19 as an ex officio member. The President Pro Tempore of the Senate shall  
20 appoint one member of the Senate to serve as an ex officio member of the  
21 committee.

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

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

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29 SECTION 9. 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 10. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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*/s/Senator Todd*