

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

As Engrossed: S3/26/03 S4/1/03

# A Bill

SENATE BILL 912

5 By: Senators T. Smith, *Argue, Gullett, J. Jeffress, Wilkins, Bisbee, Bryles, Broadway*  
6 By: *Representatives Mathis, R. Smith*  
7  
8

## For An Act To Be Entitled

9  
10 AN ACT TO MERGE THE ARKANSAS SCHOOL OF  
11 MATHEMATICS AND SCIENCES WITH THE UNIVERSITY OF  
12 ARKANSAS; AND FOR OTHER PURPOSES.  
13

### Subtitle

14  
15 AN ACT TO MERGE THE ARKANSAS SCHOOL OF  
16 MATHEMATICS AND SCIENCES WITH THE  
17 UNIVERSITY OF ARKANSAS.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

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

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

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

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



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

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

13  
14 SECTION 2. Purpose – Location – Funding – Tuition.

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

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

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

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

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

33  
34 SECTION 3. Board of Visitors.

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

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

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

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

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

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

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

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

23           (A) The Director of the Department of Education;

24           (B) The Director of the Department of Higher Education;

25           (C) The President of the Arkansas Science and Technology

26 Authority;

27           (D) The Director of the Department of Arkansas Heritage;

28           (E) The President of the Parent Association of the school;

29 and

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

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

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

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

36

1           SECTION 4. Board of visitors – Purposes.

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

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

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

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

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

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

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

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

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

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

33                   (H) Review and provide recommendations to the  
34 administrator regarding the school's operating budget priorities; and

35                   (I) Promote, in diverse ways, the growth and development  
36 in excellence of the school and the University of Arkansas in general.

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

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

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

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

14                   (1) The prom or banquet;

15                   (2) Class day activities;

16                   (3) Graduation activities;

17                   (4) Recognition as a honor graduate, except as valedictorian or  
18 salutatorian; and

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

20  
21           SECTION 5. Administrator-Staff.

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

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

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

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

36                   (2) In the event policies of the board of trustees conflict with

1 existing law with respect to terms and conditions of employment of  
 2 instructors and staff the policies shall control.

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

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 8 SECTION 6. Department of Education regulations.

9 All Department of Education regulations shall apply to the Arkansas  
 10 School for Mathematics, Sciences, and the Arts unless the department  
 11 determines otherwise or unless the regulations conflict with governance of  
 12 the school by the Board of Trustees of the University of Arkansas and the  
 13 purposes and intent of this act.

14  
 15 SECTION 7. Effective January 1, 2004, Arkansas Code §§ 6-42-201  
 16 through 6-42-206 are repealed.

17 ~~6-42-201. Establishment—Purpose—Location—Funding—Tuition.~~

18 ~~(a) There is hereby established the Arkansas School for Mathematics~~  
 19 ~~and Sciences, hereinafter "school", which shall be a residential school for~~  
 20 ~~eleventh and twelfth grade students.~~

21 ~~(b)(1) The purposes of the school shall be to educate the gifted and~~  
 22 ~~talented math and science students of the state and to develop curricula and~~  
 23 ~~materials to improve instruction in mathematics and sciences for all students~~  
 24 ~~in the state. The school's curriculum, faculty, and admissions policy shall~~  
 25 ~~reflect those purposes.~~

26 ~~(2) While the emphasis of the school shall be dedicated to the~~  
 27 ~~academic teaching of mathematics and sciences, some emphasis may be placed on~~  
 28 ~~the arts and humanities as deemed appropriate by the board of trustees.~~

29 ~~(c) The school shall be located on the campus of an Arkansas~~  
 30 ~~institution of higher education or at some other appropriate facility which~~  
 31 ~~can provide the classrooms, laboratories, library facilities, dormitories,~~  
 32 ~~and other services necessary for the proper operation and support of the~~  
 33 ~~school.~~

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

1 ~~school.~~

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

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

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

9 ~~(2) Class Day activities;~~

10 ~~(3) Graduation activities;~~

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

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

14  
15 ~~6-42-202. Board of trustees.~~

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

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

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

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

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

27 ~~(B) The Director of the Department of Education, the~~  
28 ~~Director of the Department of Higher Education, the President of the Arkansas~~  
29 ~~Science and Technology Authority, the president of the school's parent~~  
30 ~~association, and the president of the school's student government shall serve~~  
31 ~~as the five (5) ex officio, nonvoting members of the board.~~

32 ~~(e) Members shall serve seven-year terms.~~

33  
34 ~~6-42-203. Powers and duties of the board of trustees.~~

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

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

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

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

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

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

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

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

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

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

22  
23 ~~6-42-204. Administrator—Staff.~~

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

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

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

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

36 ~~(c)(1) Teachers and administrators so employed shall be eligible for~~



1 ~~membership in the Arkansas Teacher Retirement System and earn credited~~  
2 ~~service for such employment.~~

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

5  
6 ~~6-42-205. Technical assistance from state agencies.~~

7 ~~The Department of Education, the Department of Higher Education, and~~  
8 ~~the Arkansas Science and Technology Authority shall provide technical~~  
9 ~~assistance to the staff of the Arkansas School for Mathematics and Sciences.~~

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11 ~~6-42-206. Governance of school.~~

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

15  
16 /s/ T. Smith  
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