

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

A Bill

Act 359 of 2003
SENATE BILL 353

5 By: Senator Capps
6 By: Representatives D. Evans, Pate
7

For An Act To Be Entitled

10 AN ACT TO MERGE FOOTHILLS TECHNICAL INSTITUTE
11 WITH ARKANSAS STATE UNIVERSITY-BEEBE, AND TO
12 RENAME THE FOOTHILLS TECHNICAL INSTITUTE CAMPUS
13 AS ARKANSAS STATE UNIVERSITY-SEARCY, A TECHNICAL
14 CAMPUS OF ARKANSAS STATE UNIVERSITY-BEEBE; AND
15 FOR OTHER PURPOSES.

Subtitle

18 TO MERGE FOOTHILLS TECHNICAL INSTITUTE
19 WITH ARKANSAS STATE UNIVERSITY-BEEBE,
20 AND TO RENAME THE FOOTHILLS TECHNICAL
21 INSTITUTE CAMPUS AS ARKANSAS STATE
22 UNIVERSITY-SEARCY, A TECHNICAL CAMPUS OF
23 ARKANSAS STATE UNIVERSITY-BEEBE.
24

25
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

SECTION 1. Definitions.

As used in this act:

30 (1) "Adult education program" means any classes designed to assist
31 students in preparing for the general education development test, any class
32 designed to improve performance in general basic skills, parenting, English
33 proficiency, or other areas funded by the Adult Education section of the
34 Arkansas Department of Workforce Education; and

35 (2) "Applied general education courses" means courses from
36 mathematics, communications, social sciences, and similar fields specifically



1 addressing the employment needs of students in one or more occupational
 2 programs.

3
 4 SECTION 2. Name change and merger.

5 (a) Effective July 1, 2003, Foothills Technical Institute is merged
 6 with Arkansas State University-Beebe under the Arkansas State University
 7 system.

8 (b) Effective July 1, 2003, Foothills Technical Institute shall be
 9 known as Arkansas State University-Searcy, A Technical Campus of Arkansas
 10 State University-Beebe.

11
 12 SECTION 3. Board of Advisors.

13 (a) The Foothills Technical Institute Board of Directors shall become
 14 a board of advisors to Arkansas State University-Searcy, a technical campus
 15 of Arkansas State University-Beebe. The directors on June 30, 2003 shall
 16 continue their terms as members of the advisory board.

17 (b) The Arkansas State University-Searcy local board of advisors will
 18 be appointed or re-appointed by the President of the Arkansas State
 19 University system, upon recommendations presented by the Chancellor for
 20 Arkansas State University-Beebe and the vice chancellor for Arkansas State
 21 University-Searcy. Appointment shall be for a term of five (5) years and for
 22 no more than two (2) consecutive terms.

23
 24 SECTION 4. Effect of merger on employees.

25 (a) All full-time employees of Foothill Technical Institute on June
 26 30, 2003, shall become employees of Arkansas State University-Beebe on July
 27 1, 2003. Upon the merger, Foothills Technical Institute employees become
 28 Arkansas State University-Beebe employees, and, therefore, have the same
 29 rights and opportunities as other Arkansas State University-Beebe employees.

30 (b) A person employed by Foothills Technical Institute on June 30,
 31 2003, shall be employed by Arkansas State University-Searcy effective July 1,
 32 2003, if:

33 (1) Job performance is satisfactory; and

34 (2) Student enrollment in the program is satisfactory.

35 (c) On July 1, 2003, a vice chancellor position for Arkansas State
 36 University-Searcy, a technical campus of Arkansas State University-Beebe, is

1 established. The Arkansas State University-Searcy Vice Chancellor will be a
 2 member of the senior management team at Arkansas State University-Beebe. The
 3 President of Foothills Technical Institute as of June 30, 2003, shall be the
 4 vice chancellor for the Arkansas State University-Searcy campus.

5 (d) The vice presidents of Foothills Technical Institute on June 30,
 6 2003, shall become directors for the Arkansas State University-Searcy campus.

7 (e) The employees of Foothills Technical institute as of June 30,
 8 2003, who were the president and vice presidents shall retain and continue to
 9 receive:

10 (1) All options, rights, and benefits of employment granted in
 11 this section; and

12 (2) Any transportation benefits that accompanied the position of
 13 the President of Foothills Technical Institute.

14 (f) An employee who was a member of the faculty of Foothills Technical
 15 Institute on June 30, 2003, shall be deemed qualified to teach in the same
 16 level program if:

17 (1) The faculty member's job performance is satisfactory; and

18 (2) Student enrollment is satisfactory.

19
 20 SECTION 5. Sick leave.

21 (a) As a result of the merger on June 30, 2003, all Foothills
 22 Technical Institute employees will retain and transfer all annual leave
 23 balances, sick leave balances, and retirement benefits, including a twelve
 24 percent (12%) retirement match for employees enrolled in the alternate
 25 retirement plans.

26 (b) Employees who have fifty (50) or more days of accumulated sick
 27 leave as of June 30, 2003 shall continue to be eligible to receive a lump sum
 28 payment for unused sick leave at the time of retirement.

29
 30 SECTION 6. Catastrophic leave program.

31 (a) The Arkansas State University-Beebe System shall establish a
 32 catastrophic leave program for all full time employees of Arkansas State
 33 University-Beebe.

34 (b) The program shall be similar to that authorized under Arkansas
 35 Code § 21-4-214.

36

1 SECTION 7. Effect of merger on curriculum.

2 (a) Arkansas State University-Beebe shall offer the option of applied
3 general education courses in occupational certificate programs offered by
4 Foothills Technical Institute in 2002-2003.

5 (b) Students in the programs involved may also be offered the options
6 of college transfer general education courses in addition to the option of
7 applied general education courses.

8 (c) Without regard to the higher average cost of occupational
9 programs, all current Foothills Technical Institute programs shall continue
10 to be offered by Arkansas State University-Beebe for as long as they meet
11 industry needs and are fiscally effective.

12 (d) All adult basic education, general educational development test,
13 and high school area center programs currently provided by Foothills
14 Technical Institute in 2002-2003 shall continue to be administered by the
15 Arkansas State University-Searcy technical campus provided funding is
16 available.

17 (e) Existing certificate and diploma programs offered at Foothills
18 Technical Institute in 2002-2003 shall become certificate and technical
19 certificate programs as authorized by Arkansas State University-Beebe.

20
21 SECTION 8. Purchasing.

22 Purchases by Arkansas State University-Searcy will conform to
23 established procedures at Arkansas State University-Beebe and the Arkansas
24 State University System.

25
26 SECTION 9. Transfer of assets, obligations, records, personnel,
27 property, unexpended balances, and all legal authority.

28 (a) On July 1, 2003, all property and other rights, claims, and assets
29 of Foothills Technical Institute are transferred to Arkansas State
30 University-Beebe.

31 (b) On July 1, 2003, all obligations of Foothills Technical Institute
32 become obligations of Arkansas State University-Beebe.

33 (c) On July 1, 2003, all records, personnel, property, unexpended
34 balances, and all legal authority transfer from Foothills Technical Institute
35 to Arkansas State University-Beebe.

36 (d) All cash fund balances of Foothills Technical Institute on July 1,

1 2003 shall be used for the operation, support, and improvement of
2 occupational, vocational, technical, and workforce development programs of
3 the Arkansas State University-Searcy technical campus.

4
5 SECTION 10. Workforce 2000 funding.

6 Funding from the Workforce 2000 Development Fund will be provided to
7 Arkansas State University-Beebe to fund workforce development, vocational,
8 occupational, and training programs offered by the Arkansas State University-
9 Searcy technical campus.

10
11 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the
12 General Assembly of the State of Arkansas that that Foothills Technical
13 Institute should be renamed Arkansas State University-Searcy, A Technical
14 Campus of Arkansas State University-Beebe; that it would benefit both
15 Foothills Technical Institute and Arkansas State University-Beebe to merge
16 into one institution; that the merger of Foothills Technical Institute into
17 the Arkansas State University System should occur at the beginning of the
18 next fiscal year; that substantial work must be done before the merger; and
19 that this act must become effective immediately in order for the preparatory
20 work for the merger to be completed. Therefore, an emergency is declared to
21 exist and this act being immediately necessary for the preservation of the
22 public peace, health, and safety shall become effective on:

23 (1) The date of its approval by the Governor;

24 (2) If the bill is neither approved nor vetoed by the Governor,
25 the expiration of the period of time during which the Governor may veto the
26 bill; or

27 (3) If the bill is vetoed by the Governor and the veto is
28 overridden, the date the last house overrides the veto.

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31 APPROVED: 3/13/2003