

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

# A Bill

ACT 112 OF 1997  
SENATE BILL 79

5 By: Senator Malone  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE TO  
10 REFER TO THE HOUSE AND SENATE INTERIM COMMITTEES ON  
11 EDUCATION INSTEAD OF THE JOINT INTERIM COMMITTEE ON  
12 EDUCATION; AND FOR OTHER PURPOSES."  
13

## Subtitle

14  
15 "TO AMEND VARIOUS SECTIONS OF THE  
16 ARKANSAS CODE TO REFER TO THE HOUSE AND  
17 SENATE INTERIM COMMITTEES ON EDUCATION  
18 INSTEAD OF THE JOINT INTERIM COMMITTEE  
19 ON EDUCATION."  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code 6-5-608(b) is amended to read as follows:

24 "(b) The partnership council shall present a report annually to the  
25 ~~Joint Interim Committee~~ House and Senate Interim Committees on Education on  
26 the implementation of the program and the distribution of funds pursuant to  
27 this program."  
28

29 SECTION 2. Arkansas Code 6-10-116(i) is amended to read as follows:

30 "(i) The state board will report on the status of the charter school  
31 program to the General Assembly each biennium and to the ~~Joint Interim~~  
32 ~~Committee~~ House and Senate Interim Committees on Education during the interim  
33 between General Assemblies."  
34

35 SECTION 3. Arkansas Code 6-15-202(b) is amended to read as follows:

36 "(b) After the regulations are adopted and implemented by the State

1 Board of Education, standards shall regularly be reviewed by the ~~Joint Interim~~  
 2 ~~Committee~~ House and Senate Interim Committees on Education at least once every  
 3 two (2) years and recommendations and advice in regard thereto may be filed by  
 4 the ~~Joint Interim Committee~~ House and Senate Interim Committees on Education  
 5 with the State Board of Education for its consideration."  
 6

7 SECTION 4. Arkansas Code 6-15-805(a) and (b) are amended to read as  
 8 follows:

9 "(a) To assist the General Assembly, there is established the Joint  
 10 Interim Oversight Subcommittee on Educational Reform ~~of the Joint Interim~~  
 11 ~~Committee on Education~~, to be composed of ten (10) members as follows:

12 (1) ~~Nine (9) members of the Joint Interim Committee on Education, four~~  
 13 ~~(4) senators and five (5) representatives;~~ Four (4) members of the Senate  
 14 Interim Committee on Education and five (5) members of the House Interim  
 15 Committee on Education;

16 (2) One (1) member of the ~~Joint~~ Senate Interim Committee on Revenue and  
 17 Taxation.

18 (b)(1) The chairman of the Senate ~~Education Committee~~ Interim Committee  
 19 on Education shall appoint the ~~senate~~ members from the Joint Senate Interim  
 20 Committee on Education and shall name the Senates cochairman;

21 (2) The chairman of the Senate ~~Revenue and Taxation Committee~~ Interim  
 22 Committee on Revenue and Taxation shall appoint the ~~Senate~~ member from the  
 23 Joint Senate Interim Committee on Revenue and Taxation;

24 (3) The chairman of the House ~~Education Committee~~ Interim Committee on  
 25 Education shall appoint the ~~House of Representatives~~ members from the House  
 26 Interim Committee on Education and shall name the House of Representatives  
 27 cochairman."  
 28

29 SECTION 5. Arkansas Code 6-15-808 is amended to read as follows:

30 "6-15-808. Furnishing of information and assistance.

31 (a) The Office of Accountability shall make available to the Joint  
 32 Interim Oversight Subcommittee on Educational Reform, the ~~Joint Interim~~  
 33 ~~Committee~~ House and Senate Interim Committees on Education, and the advisory  
 34 committee the reports the office submits to the Director of the State  
 35 Department of Education.

36 (b) Under the direction of the Director of the State Department of

1 Education, the staff of the Office of Accountability shall work cooperatively  
2 with and provide any necessary assistance to the Joint Interim Oversight  
3 Subcommittee on Educational Reform and the ~~Joint Interim Committee~~ House and  
4 Senate Interim Committees on Education.

5 (c) The Office of Accountability shall furnish information to appropriate  
6 legislative committees upon request."

7  
8 SECTION 6. Arkansas Code 6-15-809(a) is amended to read as follows:

9 "(a) The Advisory Committee on Accountability shall submit, prior to  
10 January 1 each year, a written report containing its findings and  
11 recommendations in regard to its specific areas of concern to the ~~Joint~~  
12 ~~Interim Committee~~ House and Senate Interim Committees on Education and the  
13 State Board of Education."

14  
15 SECTION 7. Arkansas Code 6-16-123(d) is amended to read as follows:

16 "(d) During each biennium, the director shall provide a progress report  
17 on the implementation of this section to the ~~Joint Interim Committee~~ House and  
18 Senate Interim Committees on Education of the General Assembly."

19  
20 SECTION 8. Arkansas Code 6-17-603(b) is amended to read as follows:

21 "(b) The Department of Education shall transmit to the Governor and the  
22 ~~Joint Interim Committee~~ House and Senate Interim Committees on Education a  
23 composite report indicating by county the number of persons who failed the  
24 tests and the number of persons who passed the tests."

25  
26 SECTION 9. Arkansas Code 6-17-808(a) is amended to read as follows:

27 "(a) There is hereby created the Arkansas Classified Personnel Salaries  
28 Study Commission to be composed of the following:

29 (1) The ~~House~~ Chairman of the ~~Joint~~ House Interim Committee on Education  
30 or his appointee;

31 (2) The ~~Senate~~ Chairman of the ~~Joint~~ Senate Interim Committee on  
32 Education or his appointee;

33 (3) The Director of General Education of the Department of Education;

34 (4) The Director of Vocational and Technical Education of the Department  
35 of Education;

36 (5) One (1) representative of the Arkansas Association of Educational

1 Administrators;

2 (6) One (1) representative of the Arkansas Education Association;

3 (7) One (1) representative of the Arkansas School Boards Association; and

4 (8) The following persons to be appointed by the Governor:

5 (A) Five (5) public school classified personnel representatives who  
 6 shall include one (1) active employee from each of the following job  
 7 categories:

8 (i) School secretary or clerk;

9 (ii) School maintenance;

10 (iii) Bus driver;

11 (iv) Food service; and

12 (v) Aide or paraprofessional;

13 (B) One (1) public school superintendent; and

14 (C) Two (2) lay persons appointed from the state at large who shall not  
 15 be former school administrators."

16

17 SECTION 10. Arkansas Code 6-18-206(j) is amended to read as follows:

18 "(j)(1) All school districts shall report to the Equity Assistance  
 19 Center of the Department of Education on an annual basis the race, gender, and  
 20 other pertinent information needed to properly monitor compliance with the  
 21 provisions of this section.

22 (2) Such reports may be on such forms as prescribed by the department.

23 (3) A copy of the report shall be provided to the Joint Interim Oversight  
 24 Subcommittee on Educational Reform of the ~~Joint Interim Committee~~ House and  
 25 Senate Interim Committees on Education of the General Assembly."

26

27 SECTION 11. Arkansas Code 6-18-508(d) is amended to read as follows:

28 "(d) Each school district shall report to the Department of Education,  
 29 on a yearly basis, the race, gender, and other pertinent information regarding  
 30 students placed in an alternative learning environment. This information shall  
 31 be reported by the department to the Joint Interim Oversight Subcommittee on  
 32 Educational Reform of the ~~Joint Interim Committee~~ House and Senate Interim  
 33 Committees on Education of the General Assembly by June 30 of each year."

34

35 SECTION 12. Arkansas Code 6-18-1007 is amended to read as follows:

36 "6-18-1007. School student services status report.

1 By January 1, 1994, and each year thereafter, the Department of  
 2 Education shall compile and present to the Governor, the State Board of  
 3 Education, and the ~~Joint Interim Committee~~ House and Senate Interim Committees  
 4 on Education a report outlining the status of implementing each of the  
 5 provisions of the Public School Student Services Act, § 6-18-1001 et seq., by  
 6 the various school districts."

7

8 SECTION 13. Arkansas Code 6-41-504 is amended to read as follows:

9 "6-41-504. Report.

10 The task force shall report periodically to the ~~Joint Interim Committee~~  
 11 House and Senate Interim Committees on Education of the General Assembly the  
 12 results of its work."

13

14 SECTION 14. Arkansas Code 6-53-204(b) is amended to read as follows:

15 "(b) The Office of Accountability shall make available to the Joint  
 16 Interim Oversight Subcommittee on Educational Reform and the ~~Joint Interim~~  
 17 ~~Committee~~ House and Senate Interim Committees on Education of the General  
 18 Assembly the reports the office submits to the director."

19

20 SECTION 15. Arkansas Code 6-61-222(a) is amended to read as follows:

21 "(a)(1) The State Board of Higher Education is authorized and directed  
 22 to establish uniform reporting standards to report annually all current funds  
 23 revenues and expenditures associated with each academic department and, within  
 24 each department, the academic programs offered at each state-supported  
 25 institution of higher education.

26 (2) Such reports shall be subject to annual review by the State Board of  
 27 Higher Education and the ~~Joint Interim Committee~~ House and Senate Interim  
 28 Committees on Education of the General Assembly.

29 (3) The report shall be predicated on the following definitions:

30 (A) Academic department is defined as each organizational and  
 31 budgetary unit associated with the delivery of instruction, research, and  
 32 public service activities;

33 (B) Academic program is defined as all programs of study leading to a  
 34 degree, certificate, or diploma, and any other program as defined by the  
 35 Department of Higher Education;

36 (C) Academic department and program revenues shall include tuition and

1 fees, both undergraduate and graduate, endowments, gifts and grants, sponsored  
 2 research, and all other revenues associated with each academic department and  
 3 specific academic programs;

4 (D) Academic department and program expenditures shall include all  
 5 direct and prorated indirect expenses.

6 (1) Direct expenses include faculty salaries, staff salaries,  
 7 fringe benefits, scholarships and fellowships, graduate stipends and graduate  
 8 assistant tuition, student labor, materials and supplies, equipment, travel,  
 9 and telephone.

10 (2) Indirect expenses include central administrative management,  
 11 institution-wide services, and departmental administration, student services,  
 12 research, indirect cost recovery, public services and information, financial  
 13 aid, plant operations and maintenance, utilities, debt service, nonmandatory  
 14 transfers, and all other indirect expenses.

15 (3) Total academic department and program expenditures should  
 16 equal the current funds expenditures as reported in the institutions  
 17 financial statement;

18 (E) State subsidy - Within each academic department, any difference  
 19 between academic program revenues and academic program expenditures shall be  
 20 determined to be the state subsidy of that academic program and reported  
 21 annually; and

22 (F) Productivity by academic program shall be defined as the number of  
 23 declared majors, number of upper division and graduate student semester credit  
 24 hours produced, and the number of degrees, certificates, and diplomas  
 25 conferred in each program.

26 (4) The State Board of Higher Education is authorized to promulgate any  
 27 rules or regulations necessary for the implementation of this section and  
 28 shall report to the ~~Joint Interim Committee~~ House and Senate Interim  
 29 Committees on Education the failure of an institution to comply with the  
 30 provisions of this section."

31

32 SECTION 16. Arkansas Code 6-61-222(b)(3) is amended to read as follows:

33 "(3) The State Board of Higher Education shall review the institutional  
 34 reports and submit them to the ~~Joint Interim Committee~~ House and Senate  
 35 Interim Committees on Education by January 15 of each year."

36

1 SECTION 17. Arkansas Code 6-61-527(e) is amended to read as follows:

2 "(e) It is the intent of the General Assembly that the university  
3 center at Westark Community College serve as a pilot program for off-campus  
4 college instruction by four-year institutions of higher education on two-year  
5 campuses. Westark Community College shall furnish a progress report, on a  
6 semiannual basis, to the Legislative Council, the ~~Joint Interim Committee~~  
7 House and Senate Interim Committees on Education, and the State Board of  
8 Higher Education."

9

10 SECTION 18. Arkansas Code 6-61-901 is amended to read as follows:

11 "6-61-901. Purpose.

12 In order to enhance the public's access to performance indicators and to  
13 better measure the dividends paid on the increasing public investment in  
14 Arkansas institutions of higher education, the General Assembly finds that a  
15 separate office of accountability should be established within the Department  
16 of Higher Education. The foremost obligation of this office shall be to  
17 publish annual campus-by-campus assessments, noting student achievement and  
18 research accomplishments and providing information to set future performance  
19 goals for each campus. A coequal obligation of this office is to be accurate  
20 and open with the department, the ~~Joint Interim Committee~~ House and Senate  
21 Interim Committees on Education of the General Assembly, the Joint Interim  
22 Oversight Subcommittee on Education Reform, and the public."

23

24 SECTION 19. Arkansas Code 6-61-904(a) and (b) are amended to read as  
25 follows:

26 "(a) The Office of Accountability shall make available to the Joint  
27 Interim Oversight Subcommittee on Educational Reform and the ~~Joint Interim~~  
28 ~~Committee~~ House and Senate Interim Committees on Education the reports the  
29 office submits to the Director of the Department of Higher Education.

30 (b) Under the direction of the Director of the Department of Higher  
31 Education, the staff of the Office of Accountability shall work cooperatively  
32 with and provide any necessary assistance to the Joint Interim Oversight  
33 Subcommittee on Educational Reform and the ~~Joint Interim Committee~~ House and  
34 Senate Interim Committees on Education."

35

36 SECTION 20. Arkansas Code 6-62-107(d) is amended to read as follows:

1           "(d) The State Board of Higher Education shall report to the ~~Joint~~  
2 ~~Interim Committee~~ House and Senate Interim Committees on Education any failure  
3 of an institution to comply with the provisions of this section."

4

5           SECTION 21. Arkansas Code 6-63-103(c) is amended to read as follows:

6           "(c) Copies of each institutions five-year plan and annual reports  
7 shall be filed with the Governor, the Department of Higher Education, the  
8 president and board of trustees of the institution, the board of visitors of  
9 the institution, if applicable, and the ~~Joint Interim Committee~~ House and  
10 Senate Interim Committees on Education of the General Assembly."

11

12           SECTION 22. Arkansas Code 6-63-501(c) is amended to read as follows:

13           "(c) The institutions of higher education must file a report detailing  
14 their collaborative activities for the previous academic year with the State  
15 Board of Education, State Board of Higher Education, and the Joint Interim  
16 Oversight Subcommittee on Educational Reform ~~of the Joint Interim Committee on~~  
17 ~~Education~~ of the Arkansas General Assembly by October 1 of each year."

18

19           SECTION 23. Arkansas Code 6-81-127(b) is amended to read as follows:

20           "(b) The Arkansas Student Loan Authority shall annually file a report  
21 with the ~~Joint Interim Committee~~ House and Senate Interim Committees on  
22 Education showing the aggregate amount of student loans originated or acquired  
23 by the authority during the preceding year to students attending four-year,  
24 two-year, and vocational schools."

25

26           SECTION 24. Arkansas Code 6-82-102 is amended to read as follows:

27           "6-82-102. Annual review of minority scholarship or grant program.

28           (a) The State Board of Higher Education shall review annually all  
29 minority scholarship or grant programs to ensure that the programs are in  
30 compliance with federal regulations and shall report the boards findings no  
31 later than June 30 to the ~~Joint Interim Committee~~ House and Senate Interim  
32 Committees on Education, the Joint Interim Oversight Subcommittee on  
33 Educational Reform, and the Joint Interim Committee on Higher Education  
34 Reform.

35           (b)(1) The board shall review annually all minority scholarship or grant  
36 programs administered by the Department of Higher Education to ensure that the



1 programs are in compliance with federal regulations and shall report the  
 2 boards findings no later than June 30 to the ~~Joint Interim Committee~~ House  
 3 and Senate Interim Committees on Education.

4 (2) Each publicly supported institution of higher education shall review  
 5 annually all minority scholarship or grant programs administered by the  
 6 institution to ensure that the programs are in compliance with federal  
 7 regulations. The board of trustees of each publicly supported institution of  
 8 higher education shall report the findings of the institution no later than  
 9 June 30 to the ~~Joint Interim Committee~~ House and Senate Interim Committees on  
 10 Education."

11

12 SECTION 25. Arkansas Code 10-3-1001 is amended to read as follows:

13 "10-3-1001. Federal aid for state equalization plan.

14 ~~The Joint Interim Committee~~ House and Senate Interim Committees on  
 15 Education of the General Assembly is designated as an eligible applicant in  
 16 the State of Arkansas for federal assistance for the development or  
 17 administration of a state equalization plan, as authorized under Section 842  
 18 of the Education Amendments of 1974, Pub. L. No. 93-380."

19

20 SECTION 26. Arkansas Code 10-3-1502(c) is amended to read as follows:

21 "(c) All per diem and mileage for legislative members shall be paid  
 22 from the joint interim committee funds for the ~~Joint Interim Committee~~ House  
 23 and Senate Interim Committees on Education. Nonlegislative members shall be  
 24 paid from funds available through the Department of Education at the same rate  
 25 as legislative members."

26

27 SECTION 27. Arkansas Code 10-3-1504(c) is amended to read as follows:

28 "(c) The Arkansas Department of Education will provide reports to the  
 29 ~~Joint Interim Committee~~ House and Senate Interim Committees on Education  
 30 regarding the implementation of the Pulaski County School Desegregation Case  
 31 Settlement Agreement on a quarterly basis and at such other times as may be  
 32 necessary to keep the committee fully advised on these matters."

33

34 SECTION 28. Arkansas Code 19-1-702 is amended to read as follows:

35 "19-1-702. Required for regulations.

36 Thirty-five (35) days prior to the adoption of any regulation or other

1 proposal that will impose a new or increased cost obligation for education on  
 2 the state or any local school district, the board, commission, agency,  
 3 department, officer, or other authority, excepting the General Assembly and  
 4 the courts, shall give notice of such regulation or proposal and shall file a  
 5 fiscal impact statement with the Secretary of State and the ~~Joint Interim~~  
 6 ~~Committee~~ House and Senate Interim Committees on Education of the General  
 7 Assembly."

8

9 SECTION 29. Section 1 of uncodified Act 2 of the Second Extraordinary  
 10 Session of 1989 is amended to read as follows:

11 "Section 1. Fund Created. There is hereby created on the books of the  
 12 State Treasurer, State Auditor, and Chief Fiscal Officer of the State, a fund  
 13 to be known as the Court-Ordered Desegregation Trust Fund, which such fund  
 14 shall consist of funds made available by the General Assembly and is to be  
 15 used for paying expenses of court-ordered desegregation, including but not  
 16 limited to the legal expenses of the Department of Education in representing  
 17 the State of Arkansas and the State Board of Education in desegregation suits  
 18 and additional public school costs for selected school districts, as required  
 19 or ordered by a federal court to be paid by the State of Arkansas. A  
 20 reporting of all expenditures by the Department of Education shall be made  
 21 quarterly to the Office of the Governor, the Arkansas Legislative Council, and  
 22 the ~~Joint Interim Committee~~ House and Senate Interim Committees on Education.

23 At the end of each month, the Department of Education shall certify to  
 24 the State Treasurer, the amount of obligations incurred for desegregation  
 25 expenses determined to be the responsibility of the State of Arkansas by a  
 26 federal court. Upon the receipt of such certification, the State Treasurer  
 27 shall distribute the amount certified from the Court-Ordered Desegregation  
 28 Trust Fund."

29

30 SECTION 30. Section 3 of uncodified Act 1288 of 1993, as amended by  
 31 uncodified Act 596 of 1995, is amended to read as follows:

32 "Section 3. (a) The Arkansas Pygmalion Commission on Nontraditional  
 33 Education shall be composed of eighteen (18) members to be appointed in the  
 34 manner and to represent various interests as follows:

35 (1) One (1) member representing classroom teachers to be  
 36 recommended by the Arkansas Education Association and appointed by the

- 1 Governor;
- 2           (2) One (1) member representing school district superintendents  
3 to be recommended by the Arkansas Association of Education Administrators and  
4 appointed by the Governor;
- 5           (3) One (1) member representing local school boards to be  
6 recommended by the Arkansas School Boards Association and appointed by the  
7 Governor;
- 8           (4) Two (2) members representing school principals with  
9 alternative education experience to be recommended by the Arkansas Association  
10 of Education Administrators and appointed by the Governor;
- 11           (5) One (1) member representing the Department of Health and  
12 appointed by the Governor;
- 13           (6) One (1) member representing the Department of Human Services  
14 and appointed by the Governor;
- 15           (7) One (1) member representing the General Education Division of  
16 the Department of Education and appointed by the Governor;
- 17           (8) One (1) member representing the Vocational and Technical  
18 Education Division of the Department of Education and appointed by the  
19 Governor;
- 20           (9) One (1) member representing the Department of Higher  
21 Education and appointed by the Governor;
- 22           (10) One (1) member of the House ~~of Representatives~~ Interim  
23 Committee on Education ~~and the Joint Interim Committee on Education~~ or a House  
24 member of the Joint Committee on Children and Youth to be appointed by the  
25 Speaker of the House;
- 26           (11) One (1) member of the Senate Interim Committee on Education  
27 ~~and the Joint Interim Committee on Education~~ or a Senate member of the Joint  
28 Committee on Children and Youth to be appointed by the President Pro Tempore  
29 of the Senate;
- 30           (12) One (1) member representing the judicial system to be  
31 appointed by the Governor;
- 32           (13) One (1) member representing students with learning  
33 disabilities or Attention Deficit Disorder to be appointed by the Governor;
- 34           (14) Two (2) members representing physicians and psychologists who  
35 specialize in treating children and adolescents to be recommended by the Chief  
36 of Staff of Arkansas Childrens Hospital and appointed by the Governor;

1 (15) One (1) member representing parents to be recommended by the  
2 Arkansas Congress of Parents and Teachers Association and appointed by the  
3 Governor; and

4 (16) One (1) member at-large to be appointed by the Governor.

5 (b) The commission shall expire on June 30, 1999, unless the commission  
6 is continued by further act of the Arkansas General Assembly."

7

8 SECTION 31. Section 6(a) of uncodified Act 1288 of 1993 is amended to  
9 read as follows:

10 "(a) Members of the Arkansas Pygmalion Commission on Nontraditional  
11 Education shall serve without pay, but the commission may, if sufficient funds  
12 are available, reimburse non-legislative and non-state employee members for  
13 actual and necessary expenses incurred in the performance of their duties.  
14 Legislative members of the commission shall receive, in lieu of reimbursement  
15 for expenses, the same per diem rate as members of the General Assembly  
16 attending meetings of the ~~Joint Interim Committees~~ House and Senate Interim  
17 Committees on Education and shall be paid from funds appropriated for that  
18 purpose. Expenses of state employees serving on the commission shall be  
19 reimbursed from funds appropriated to that agency for such purposes."

20

21 SECTION 32. Uncodified Section 8(b) of Act 712 of 1995 is amended to  
22 read as follows:

23 "(b) The Partnership Council shall report to the ~~Joint Interim~~  
24 ~~Committee~~ House and Senate Interim Committees on Education by October 1, 1995  
25 on its progress in developing the evaluation system and in developing and  
26 implementing the program. It shall report prior to January 1, 1996 on the  
27 evaluation system developed by the Partnership Council and on program  
28 implementation. The Partnership Council shall present a report prior to the  
29 81st General Assembly and annually thereafter to the ~~Joint Interim Committee~~  
30 House and Senate Interim Committees on Education on the implementation of the  
31 program and the distribution of funds pursuant to this program."

32

33 SECTION 33. Uncodified Section 6 of Act 917 of 1995 is amended to read  
34 as follows:

35 "Section 6. State Board of Education and Department of Education.

36 (a) The State Board of Education pursuant to the Quality Education Act

1 of 1983 shall review and revise the Arkansas Minimum Standards for  
 2 Accreditation to assure a general, suitable and efficient system of public  
 3 education in the State.

4 (b) The State Board of Education shall submit proposed revisions to the  
 5 Standards to the Joint Interim Committee on Education on or before November  
 6 30, 1995.

7 (c) The State Board of Education shall devise a process for involving  
 8 teachers, school administrators, school boards, and parents in the definition  
 9 of an adequate education for Arkansas students.

10 (d) The State Board shall seek public guidance in defining an adequate  
 11 education and shall submit proposed legislation defining adequacy to the ~~Joint~~  
 12 ~~Interim Committee~~ House and Senate Interim Committees on Education prior to  
 13 December 31, 1996.

14 (e) The State Board of Education shall promulgate rules and regulations  
 15 to evaluate each local school district's fiscal solvency and to address any  
 16 fiscal shortcomings of a local school district.

17 (f) The Department of Education in consultation with State Building  
 18 Services shall conduct a facilities needs assessment of each Local School  
 19 district in this state and file a written report with the ~~Joint Interim~~  
 20 ~~Committee~~ House and Senate Interim Committees on Education by December 31,  
 21 1996."

22

23 SECTION 34. Uncodified Section 2 of Act 1270 of 1995 is amended to read  
 24 as follows:

25 "Section 2. The presidents and chancellors of the public supported  
 26 universities and colleges in the state in cooperation with the Department of  
 27 Higher Education shall develop a procedure or process for making a thorough  
 28 and rigorous evaluation of tenured and untenured faculty members at the  
 29 several public supported universities and colleges in the state and file a  
 30 written description of the evaluation procedure or process with the Joint  
 31 Interim Committee on Education prior to December 1, 1995. The ~~Joint Interim~~  
 32 ~~Committee~~ House and Senate Interim Committees on Education shall review the  
 33 evaluation procedure or process. If the ~~Joint Interim Committee~~ House and  
 34 Senate Interim Committees on Education ~~finds~~ find the evaluation procedure or  
 35 process as filed is satisfactory, ~~it~~ they shall so notify the Department of  
 36 Higher Education and the various presidents and chancellors. If the ~~committee~~

1 ~~finds~~ committees find the procedure or process so submitted to be  
 2 unsatisfactory, it shall advise the Department of Higher Education and the  
 3 presidents and chancellors of the several public supported colleges and  
 4 universities of such finding and advise them in what respects the ~~committee~~  
 5 ~~finds~~ committees find the procedure or process to be unsatisfactory. If the  
 6 procedure or process is found to be unsatisfactory, the presidents and  
 7 chancellors in cooperation with the Department of Higher Education shall  
 8 revise the procedure or process and resubmit it to the ~~Joint Interim Committee~~  
 9 House and Senate Interim Committees on Education no later than July 1, 1996."

10

11 SECTION 35. Section 1(c) of uncodified Act 1277 of 1995 is amended to  
 12 read as follows:

13 "(c) The Arkansas School Start Date Study Commission shall submit a  
 14 final report and its recommendations for any proposed legislation to the ~~Joint~~  
 15 ~~Interim Committee~~ House and Senate Interim Committees on Education and the  
 16 ~~Joint Interim Committee~~ House and Senate Interim Committees on Agriculture and  
 17 Economic Development of the Arkansas General Assembly on or before September  
 18 1, 1996. The study commission shall expire on January 1, 1997."

19

20 SECTION 36. Subsections (a) and (b) of Section 2 of uncodified Act 1307  
 21 of 1995 are amended to read as follows:

22 "(a) The General Education Division of the State Department of  
 23 Education shall conduct a comprehensive study of existing professional  
 24 development opportunities for employees and board members of the public school  
 25 districts in Arkansas.

26 (b)(1) A report of such comprehensive study shall be prepared and  
 27 presented to the Governor, the ~~Joint Interim Committee~~ House and Senate  
 28 Interim Committees on Education, and the State Board of Education by September  
 29 1, 1997.

30 (2) The report shall include, but not be limited to, the  
 31 following information:

32 (A) Specific categories of professional development  
 33 opportunities provided for employees and board members of public school  
 34 districts;

35 (B) Sources of time and funding used for professional  
 36 development;

1 (C) Systems of accountability used within school districts  
2 that are relative to professional development;

3 (D) Human resources used in conducting or facilitating  
4 professional development activities;

5 (E) Statistics demonstrating to what extent school  
6 districts have put in place well-defined professional development plans to  
7 support systematic development and implementation of school improvement."

8 SECTION 37. All provisions of this act of a general and permanent  
9 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
10 Code Revision Commission shall incorporate the same in the Code.

11

12 SECTION 38. If any provision of this act or the application thereof to  
13 any person or circumstance is held invalid, such invalidity shall not affect  
14 other provisions or applications of the act which can be given effect without  
15 the invalid provision or application, and to this end the provisions of this  
16 act are declared to be severable.

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18 SECTION 39. All laws and parts of laws in conflict with this act are  
19 hereby repealed.

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21 SECTION 40. EMERGENCY. It is hereby found and determined by the  
22 General Assembly that Act 10 of the First Extraordinary Session of 1995  
23 abolished the Joint Interim Committee on Education and in its place  
24 established the House Interim Committee and Senate Interim Committee on  
25 Education; that various sections of the Arkansas Code refer to the Joint  
26 Interim Committee on Education and should be corrected to refer to the House  
27 and Senate Interim Committees on Education; that this act so provides; and  
28 that this act should go into effect immediately in order to make the laws  
29 compatible as soon as possible. Therefore, an emergency is declared to exist  
30 and this act being immediately necessary for the preservation of the public  
31 peace, health and safety shall become effective on the date of its approval by  
32 the Governor. If the bill is neither approved nor vetoed by the Governor, it  
33 shall become effective on the expiration of the period of time during which  
34 the Governor may veto the bill. If the bill is vetoed by the Governor and the  
35 veto is overridden, it shall become effective on the date the last house  
36 overrides the veto.

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