

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

As Engrossed: S4/1/99

# A Bill

Act 1323 of 1999  
SENATE BILL 908

5 By: Senator Mahony  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO AMEND CHAPTER 6 OF TITLE 25 OF THE ARKANSAS  
10 CODE; TO CREATE A NEW CHAPTER IN THE ARKANSAS CODE FOR  
11 THE DEPARTMENT OF WORKFORCE EDUCATION; AND FOR OTHER  
12 PURPOSES. "  
13

### Subtitle

14 "AN ACT TO AMEND CHAPTER 6 OF TITLE 25 OF  
15 THE ARKANSAS CODE; TO CREATE A NEW  
16 CHAPTER IN THE ARKANSAS CODE FOR THE  
17 DEPARTMENT OF WORKFORCE EDUCATION. "  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. *Arkansas Code 2-36-101(a) is amended to read as follows:*

24 *"(a) The Arkansas Livestock and Poultry Commission shall be empowered*  
25 *to formulate necessary and appropriate rules and regulations for the grading*  
26 *of fairs on a point system in cooperation with an ad hoc advisory committee*  
27 *formed of representatives of agriculture consisting of representatives from*  
28 *the United States Department of Agriculture, University of Arkansas*  
29 *Cooperative Extension Service, ~~Vocational-Agricultural Division of the~~*  
30 *~~Department of Education~~ the agricultural education section of the Department*  
31 *of Workforce Education, and the Arkansas Fair Managers Association, which*  
32 *shall make recommendations as to criteria for the allotment of grade points to*  
33 *the commission. "*  
34

35 SECTION 2. *Arkansas Code 5-4-323(a)(2) is amended to read as follows:*

36 *"(2) The court, after consultation with the school or the adult*

1 education program, shall determine the appropriate documentation for those  
 2 individuals participating under the provisions of this section and shall  
 3 report all documentation of school or adult education program participation on  
 4 a quarterly basis to the Administrative Office of the Courts, which shall then  
 5 report to the ~~Governor's Commission on Adult Literacy~~ Department of Workforce  
 6 Education. "

7

8 SECTION 3. Arkansas Code 6-11-102 is amended to read as follows:

9 "6-11-102. ~~Directors - General Education - Vocational and Technical~~  
 10 ~~Education~~ Director of the Department of Education.

11 (a) Subject to confirmation by the Governor, the State Board of  
 12 Education ~~and the State Board of Vocational Education~~ is empowered to  
 13 employ ~~persons~~ a person to act as the Director of ~~General Education~~ the  
 14 Department of Education ~~and the Director of Vocational and Technical~~  
 15 ~~Education~~, who shall serve at the pleasure of the Governor.

16 (b) The ~~directors~~ director shall devote all of ~~their~~ his or her time to  
 17 the duties of ~~their offices~~ his or her office, shall act as ~~agents~~ an agent of  
 18 the ~~boards~~ board, and perform ~~such~~ other duties as are designated by the  
 19 ~~boards~~ board ~~or~~ and by statute.

20 (c)(1) The person selected as the ~~Director of General Education~~  
 21 director must:

22 (A) Be a person of good moral character, recognized as a  
 23 leader in the field of education, and qualified technically and by experience  
 24 to direct the work of the Department of Education;

25 (B) Hold the master's degree from an accredited  
 26 institution;

27 (C) Have had ten (10) years' experience as a teacher, five  
 28 (5) of which must be of an administrative or supervisory nature; and

29 (D) Hold a valid state teacher's certificate.

30 (2) No person who is related within the fourth degree of  
 31 consanguinity or affinity to any member of the ~~State Board of Education~~ board  
 32 shall be eligible to serve as ~~Director of General Education~~ director.

33 ~~(d)(1) The person selected as Director of Vocational and Technical~~  
 34 ~~Education~~ must:

35 ~~(A) Be a person of good moral character, recognized as a~~  
 36 ~~leader in the field of vocational education, qualified technically and by~~

1 ~~experience to direct the work of the Vocational and Technical Education~~  
 2 ~~Division;~~

3 ~~(B) Hold the master's degree from an accredited~~  
 4 ~~institution;~~

5 ~~(C) Have had ten (10) years' experience as a teacher,~~  
 6 ~~supervisor, and administrator of vocational education, with the experience~~  
 7 ~~representing positions of increasing responsibility; and~~

8 ~~(D) Qualify as a teacher in a vocational program area under~~  
 9 ~~the state board's standard qualification requirements.~~

10 ~~(2) No person who is related within the fourth degree of~~  
 11 ~~consanguinity or affinity to any member of the State Board of Vocational~~  
 12 ~~Education shall be eligible to serve as Director of Vocational and Technical~~  
 13 ~~Education.~~

14 ~~(e)(d) It is the specific intention of this act to define and declare~~  
 15 ~~the Director of General Education the Department of Education to be the~~  
 16 ~~employee of the State Board of Education and the Director of Vocational and~~  
 17 ~~Technical Education to be the employee of the State Board of Vocational~~  
 18 ~~Education.~~

19 ~~(f)(1) (e)(1) The Director of General Education director, or a~~  
 20 ~~disbursing agent designated by him and approved by the State Board of~~  
 21 ~~Education board, and the Director of Vocational and Technical Education, or a~~  
 22 ~~disbursing agent designated by him and approved by the State Board of~~  
 23 ~~Vocational Education, shall give bond to the State of Arkansas as provided by~~  
 24 ~~law for other disbursing agents, conditioned for the faithful performance of~~  
 25 ~~their his or her duties and the faithful accounting for all the school money~~  
 26 ~~of the state, of any county, or of any school district that may come into~~  
 27 ~~their his or her hands.~~

28 (2) The bond shall be in a solvent surety company having a right  
 29 to do business in the State of Arkansas and shall be approved by the ~~State~~  
 30 ~~Board of Education board.~~

31 (3) The premium on the bond shall be paid by the ~~State Board of~~  
 32 ~~Education board as one of the expenses of the board.~~

33 ~~(g)(f) The state shall furnish the ~~directors~~ director with suitable~~  
 34 ~~offices. "~~

35  
 36 SECTION 4. Arkansas Code 6-11-103 is amended to read as follows:

1 "6-11-103. Officers.

2 (a) The ~~boards~~ State Board of Education shall elect one (1) of ~~their~~  
3 its number chairman, one (1) vice chairman, and such other officers as the  
4 ~~boards deem~~ board deems necessary to perfect ~~their~~ its organization.

5 (b) The Director of ~~General Education~~ the Department of Education shall  
6 act as ex officio ~~Secretary~~ secretary of the ~~State Board of Education~~ board  
7 without vote.

8 ~~(c) The Director of Vocational and Technical Education shall act as ex~~  
9 ~~officio Secretary of the State Board of Vocational Education without vote."~~

10

11 SECTION 5. Arkansas Code 6-11-104 is amended to read as follows:

12 "6-11-104. Meetings.

13 (a) The State Board of Education shall meet a minimum of six (6) times  
14 annually.

15 (b) The board will meet each December to determine the meeting dates for  
16 the following year.

17 (c)(1) Special meetings may be called by the chairman of the board with  
18 no less than twenty-four (24) hours notice to the members and the Director of  
19 ~~General Education~~ the Department of Education and with timely responses from  
20 enough board members that they will attend ~~such~~ the meeting so as to indicate  
21 that a quorum will be present.

22 (2) In the absence of the chairman, the ~~Director of General Education~~  
23 director shall call a meeting on the request of three (3) members of the board  
24 with the same notice and response requirements.

25 (3) If both the chairman and the ~~Director of General Education~~  
26 director shall be absent or refuse to call a meeting, any three (3) members of  
27 the board may call a meeting by utilizing the same notice and response  
28 requirements in notifying the members and the office of the director.

29 ~~(b) The State Board of Vocational Education shall meet a minimum of four~~  
30 ~~(4) times annually. The board will meet each July to determine the meeting~~  
31 ~~dates for the following year. Special meetings may be called by the chairman~~  
32 ~~of the board with no less than twenty-four (24) hours notice to the members~~  
33 ~~and the Director of Vocational and Technical Education with timely responses~~  
34 ~~from enough board members that they will attend such meeting so as to indicate~~  
35 ~~that a quorum will be present. In the absence of the chairman, the Director of~~  
36 ~~Vocational and Technical Education shall call a meeting on the request of~~

1 ~~three (3) members of the board with the same notice and response requirements.~~  
 2 ~~If both the chairman and the Director of Vocational and Technical Education~~  
 3 ~~shall be absent or refuse to call a meeting, any three (3) members of the~~  
 4 ~~board may call a meeting by utilizing the same notice and response~~  
 5 ~~requirements in notifying the members and the office of the director."~~

6  
 7 SECTION 6. Arkansas Code 6-11-105(b) is amended to read as follows:

8 "~~(b)(1) The State Board of Education~~ board may organize and, from time  
 9 to time, change and alter the ~~General Education Division~~ department into such  
 10 branches or sections as may be found necessary and desirable by the ~~Director~~  
 11 ~~of General Education~~ Director of the Department of Education to perform all  
 12 proper functions and to render maximum service relating to the operation and  
 13 improvement of the general education programs of the state.

14 ~~(2) The State Board of Vocational Education may organize and, from~~  
 15 ~~time to time, change and alter the Vocational and Technical Education Division~~  
 16 ~~into such branches or sections as may be found necessary and desirable by the~~  
 17 ~~Director of Vocational and Technical Education to perform all proper functions~~  
 18 ~~and render maximum service relating to the operation and improvement of~~  
 19 ~~vocational education programs in the state."~~

20  
 21 SECTION 7. Arkansas Code 6-11-105(c) is amended to read as follows:

22 "~~(c) The State Board of Education~~ board and the ~~State Board of~~  
 23 ~~Vocational Education~~ shall adopt such rules and regulations for ~~their~~ its  
 24 meetings and proceedings as ~~they deem~~ it deems advisable."

25  
 26 SECTION 8. Arkansas Code 6-11-106 is hereby repealed:

27 ~~6-11-106. Vocational education.~~

28 ~~The State Board of Vocational Education shall have general supervision of~~  
 29 ~~vocational education in the state and shall administer and apportion any funds~~  
 30 ~~that may come to the state for that purpose.~~

31  
 32 SECTION 9. Arkansas Code 6-11-107 is amended to read as follows:

33 "6-11-107. Official seal.

34 ~~(a) The State Board of Education shall adopt a seal, and the seal shall~~  
 35 ~~be used by the Director of the General Education Division~~ Director of the  
 36 Department of Education to authenticate documents or copies of documents as

1 the board or director may deem advisable.

2 ~~(b) The State Board of Vocational Education shall adopt a seal, and the~~  
3 ~~seal shall be used by the Director of Vocational and Technical Education to~~  
4 ~~authenticate documents or copies of documents as the board or director may~~  
5 ~~deem advisable."~~

6

7 SECTION 10. Arkansas Code 6-11-108 is amended to read as follows:

8 "6-11-108. Employment of personnel.

9 (a) The State Board of Education ~~and the State Board of Vocational~~  
10 ~~Education~~, in addition to other duties prescribed by law, shall select ~~such~~  
11 personnel as may be needed for the efficient operation of the Department of  
12 Education and shall fix their salaries in accordance with their training and  
13 the work assigned.

14 (b) Appointments of full-time employees in the ~~Department of Education~~  
15 ~~department~~ shall be made by the ~~boards~~ board upon nomination by the Director  
16 of ~~General Education~~ the Department of Education ~~and the Director of~~  
17 ~~Vocational and Technical Education for their respective divisions.~~

18 (c) Upon rejection of a nominee, the ~~appropriate~~ director shall make  
19 further nominations.

20 (d) Professional appointments in the ~~Department of Education~~ department  
21 shall be made for definite terms of one (1) year, subject to removal for cause  
22 by a majority vote of the members of the ~~State Board of Education~~ board upon  
23 recommendation of the ~~Director of General Education~~ director ~~or by the State~~  
24 ~~Board of Vocational Education upon recommendation of the Director of~~  
25 ~~Vocational and Technical Education."~~

26

27 SECTION 11. Arkansas Code 6-11-110 is amended to read as follows:

28 "6-11-110. Uniform system of records - Reports.

29 (a) The State Board of Education shall prescribe a uniform system of  
30 records to be kept by the ~~county boards of education~~, school directors,  
31 principals, and teachers of schools.

32 (b) All ~~such~~ the school officials and employees listed in subsection  
33 (a) of this section shall make ~~such~~ reports to the Director of ~~General~~  
34 ~~Education~~ the Department of Education ~~and the Director of Vocational and~~  
35 ~~Technical Education~~ as may be designated by the ~~State Board of Education~~  
36 board."

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SECTION 12. Arkansas Code 6-11-111 is amended to read as follows:

"6-11-111. Records of proceedings - Annual report.

(a) The State Board of Education shall keep in the office of the Director of the ~~General Education Division~~ Department of Education a complete record of the minutes of its meetings and other proceedings and annually shall make a report to the Governor which shall embody the report of the ~~Director of the General Education Division~~ Director of the Department of Education.

~~(b) The State Board of Vocational Education shall keep in the office of the Director of Vocational and Technical Education a complete record of the minutes of its meetings and other proceedings.~~

~~(c)~~(b) The annual report of the ~~State Board of Education~~ board to the Governor shall be transmitted by him to the General Assembly at the opening of the session.

~~(d)~~(c) Such reports shall be printed by the ~~State Board of Education~~ board and distributed among the various school officers of the state."

SECTION 13. Arkansas Code 6-11-112 is amended to read as follows:

"6-11-112. Power to make plans coordinating state and federal laws.

~~(a) The State Board of Education is empowered to make such plans, rules, and regulations as are necessary in order for this state to meet the requirements of any law enacted by the Congress of the United States for general education or any supplementary federal regulations pertaining to that legislation.~~

~~(b) The State Board of Vocational Education is empowered to make such plans, rules, and regulations as are necessary in order for this state to meet requirements of any law enacted by the Congress of the United States for vocational education or any supplementary federal regulations pertaining to that legislation."~~

SECTION 14. Arkansas Code 6-11-113 is amended to read as follows:

~~"6-11-113. Federal aid - Acceptance and distribution generally.~~

(a)(1) The General Assembly accepts all federal aid to education that may be provided by ~~the Congress of the United States~~.

(2) The State Board of Education ~~and the State Board of Vocational Education~~ are is designated as the 'state educational authority'

1 for the purpose of representing the state in the administration of funds  
2 provided by Congress.

3 (3) The ~~boards are~~ board is empowered to promulgate such  
4 regulations as are necessary on the part of the state to meet any and all  
5 requirements of the federal government in the distribution of federal aid.

6 (4) The ~~boards~~ board shall provide for the proper auditing and  
7 accounting of all federal funds and for making all necessary reports regarding  
8 the expenditures of the federal funds.

9 (5) The ~~boards~~ board shall perform such other functions as may be  
10 prescribed by the act providing aid."

11  
12 SECTION 15. Arkansas Code 6-11-117 is amended to read as follows:

13 "6-11-117. Copies of documents as evidence.

14 Copies of any papers or documents on file in the ~~offices~~ office of the  
15 Director of ~~General Education~~ the Department of Education and the Director of  
16 ~~Vocational and Technical Education~~ authenticated by ~~them~~ him or her with the  
17 seal of the State Board of Education ~~or State Board of Vocational Education~~  
18 ~~respectively~~ shall be admissible in evidence with the same effect as the  
19 original."

20  
21 SECTION 16. Arkansas Code 6-11-126 is amended to read as follows:

22 "6-11-126. Paperwork reduction.

23 ~~(a)~~ The State Board of Education, acting through the ~~State~~ Department  
24 of Education, shall use every means available to eliminate the amount of  
25 paperwork required by state law and regulations to be reported from each local  
26 school district by utilizing to the fullest extent possible, beginning no  
27 later than July 1, 1998, the information technology network linking local  
28 school districts and the department.

29 ~~(b)~~ ~~The Director of the General Education Division of the State~~  
30 ~~Department of Education shall report on the progress of implementing the~~  
31 ~~provisions of subsection (a) to the members of the House and Senate Interim~~  
32 ~~Education Committees by no later than October 1, 1998."~~

33  
34 SECTION 17. Arkansas Code, Title 6, Chapter 11 is amended to add a new

35 "6-11-201. Director of the Department of Workforce Education.

36 (a)(1) The director, or a disbursing agent designated by him and



1 approved by the board, shall give bond to the State of Arkansas as provided  
2 by law for other disbursing agents conditioned for the faithful performance of  
3 his or her duties and the faithful accounting for all the school money of the  
4 state, of any county, or of any school district that may come into his or her  
5 hands.

6 (2) The bond shall be in a solvent surety company having a right  
7 to do business in the State of Arkansas and shall be approved by the board.

8 (3) The premium on the bond shall be paid by the board as one of  
9 the expenses of the board.

10 (b) The state shall furnish the director with suitable offices.

11  
12 6-11-202. Records of proceedings.

13 The board shall keep in the office of the director a complete record of  
14 the minutes of its meetings and other proceedings.

15  
16 6-11-203. Vocational education.

17 The State Board of Workforce Education and Career Opportunities shall  
18 have general supervision of vocational education in the state and shall  
19 administer and apportion any funds that may come to the state for that  
20 purpose.

21  
22 6-11-204. Official seal - Copies of documents as evidence.

23 (a) The State Board of Workforce Education and Career Opportunities  
24 shall adopt a seal, and the seal shall be used by the Director of the  
25 Department of Workforce Education to authenticate documents or copies of  
26 documents as the board or director may deem advisable.

27 (b) Copies of any papers or documents on file in the offices of the  
28 director authenticated by him or her with the seal of the board shall be  
29 admissible in evidence with the same effect as the original.

30  
31 6-11-205. Federal aid - Acceptance and distribution generally.

32 (a)(1) The General Assembly accepts all federal aid to education that  
33 may be provided by Congress.

34 (2) The State Board of Workforce Education and Career  
35 Opportunities is designated as the state educational authority for the purpose  
36 of representing the state in the administration of funds provided by Congress.

1           (3) The board is empowered to promulgate regulations as are  
2 necessary on the part of the state to meet any and all requirements of the  
3 federal government in the distribution of federal aid.

4           (4) The board shall provide for the proper auditing and  
5 accounting of all federal funds and for making all necessary reports regarding  
6 the expenditures of the federal funds.

7           (5) The board shall perform other functions as may be prescribed  
8 by the act providing aid.

9           (b) The Treasurer of State is designated to serve as trustee for such  
10 funds as may be apportioned to the State of Arkansas in this connection.

11           (c) The funds shall be disbursed according to the provisions of the  
12 federal act allocating them.

13  
14           6-11-206. Federal aid - Receipt and administration for school  
15 facilities.

16           The State Board of Workforce Education and Career Opportunities is  
17 designated to receive and administer any and all federal funds made available  
18 to this state for the purpose of assisting local school districts in providing  
19 elementary and secondary school facilities for vocational and adult education  
20 programs.

21  
22           6-11-207. Power to make plans coordinating state and federal laws.

23           The State Board of Workforce Education and Career Opportunities is  
24 empowered to make plans, rules, and regulations as are necessary in order for  
25 this state to meet the requirements of any law enacted by Congress for  
26 vocational and technical education or any supplementary federal regulations  
27 pertaining to that legislation."

28  
29  
30           SECTION 18. Arkansas Code 6-16-104(b) is amended to read as follows:

31           "(b) It shall be the duty of the ~~Director of General Education~~ Director  
32 of the Department of Education, ~~Director of Vocational and Technical Education~~  
33 the Director of the Department of Workforce Education, ~~county school~~  
34 supervisor, and city superintendents to see that the provisions of this  
35 section are carried out."  
36

1 SECTION 19. Arkansas Code 6-17-109 is amended to read as follows:

2 "6-17-109. Travel reimbursement for ~~home economics~~ family and consumer  
3 science teachers.

4 Teachers of ~~home economics~~ family and consumer science shall be  
5 reimbursed for travel in the same manner as provided for teachers of  
6 agriculture."

7  
8 SECTION 20. Arkansas Code 6-18-222(a)(2) is amended to read as follows:

9 "(2) The ~~State Board of Vocational Education~~ State Board of Workforce  
10 Education and Career Opportunities shall adopt a student attendance policy for  
11 sixteen-year-olds and seventeen-year-olds enrolled in an adult education  
12 program, ~~which~~. The policy shall require a minimum attendance of ~~twenty (20)~~  
13 ten (10) hours per week to remain in the program."

14  
15 SECTION 21. Arkansas Code 6-21-406(1)(A) is amended to read as follows:

16 "(1)(A) The person, company, or corporation shall file a bid and  
17 contract form in the office of the Director of ~~General Education~~ the  
18 Department of Education ~~or the Director of Vocational and Technical Education~~  
19 showing the prices at which the publisher will agree to sell to the State of  
20 Arkansas during the contract period."

21  
22 SECTION 22. Arkansas Code 6-21-410(c)(1) is amended to read as follows:

23 "(c)(1) It shall be illegal for any person, directly or indirectly, to  
24 promise or offer to give or cause to be promised, offered, or given any money,  
25 good, bribe, present, reward, or any valuable thing whatsoever to the Director  
26 of ~~General Education~~ the Department of Education, his or her assistants, or  
27 any other employee of the Department of Education, the Director of the  
28 Department of Workforce Education, his or her assistants, or any other  
29 employee of the Department of Workforce Education, any school board members,  
30 teachers, or other persons with the intent of influencing their decisions on  
31 any questions, matters, causes, or proceedings in the selection of any  
32 textbooks or other instructional materials."

33  
34 SECTION 23. Arkansas Code 6-21-601(a) is amended to read as follows:

35 "(a) It shall be unlawful for any member of the State Board of  
36 Education, the Director of ~~General Education~~ the Department of Education, the

1 State Board of Workforce Education and Career Opportunities, the Director of  
 2 ~~Vocational and Technical Education~~ the Department of Workforce Education, or a  
 3 member of any city, county, district, local, or special board of education  
 4 having supervision over any public schools of this state, or any employee or  
 5 agent of ~~said~~ those persons, to be interested directly or indirectly in the  
 6 sale of any books, foods, supplies, commodities, or materials of whatsoever  
 7 kind or character sold to and purchased by any ~~such~~ state, city, county,  
 8 district, local, or special board of education of which that person may be a  
 9 member. "

10  
 11 SECTION 24. Arkansas Code 6-21-602(a) is amended to read as follows:

12 "(a) No member of the State Board of Education, the Director of ~~General~~  
 13 ~~Education~~ the Department of Education, the State Board of Workforce Education  
 14 and Career Opportunities, the Director of ~~Vocational and Technical Education~~  
 15 the Department of Workforce Education, ~~member of a county board of education,~~  
 16 county or city superintendent of schools, school director, or any employee of  
 17 any of them shall act as agent or representative of any author or book seller  
 18 seeking to sell any schoolbooks to the state or to any school district, or  
 19 directly or indirectly to receive any emolument, reward, or premium for his  
 20 service or influence in recommending or procuring the use of any book, school  
 21 apparatus, or furniture of any kind in any public school. "

22  
 23 SECTION 25. Arkansas Code 6-41-101(b) is amended to read as follows:

24 "(b) The ~~Vocational and Technical Education Division~~ department may  
 25 award one (1) or more contracts to any organization that can fulfill the goals  
 26 and objectives of the program, or the ~~division~~ department may assume  
 27 responsibility for implementing the program ~~as a division of the Department of~~  
 28 ~~Education.~~ "

29  
 30 SECTION 26. Arkansas Code Title 6, Chapter 44, Subchapter 2 is  
 31 repealed:

32 ~~6-44-201. Creation - Members.~~

33 ~~(a) There is hereby established the Governor's Commission on Adult~~  
 34 ~~Literacy to be composed of not more than sixteen (16) members appointed by the~~  
 35 ~~Governor.~~

36 ~~(b)(1) Considerations for membership shall include sex, age, and racial~~

1 ~~balance.~~

2 ~~(2) The voting membership of the commission shall consist of the~~  
3 ~~following:~~

4 ~~(A) Seven (7) members from the executive ranks of the business and~~  
5 ~~labor sectors with expertise in marketing, public relations, legal, and~~  
6 ~~workplace literacy;~~

7 ~~(B) Seven (7) members from the nonbusiness sector with general~~  
8 ~~backgrounds in education, social services, and literacy enhancement;~~

9 ~~(C) One (1) member of the Senate and one (1) member of the House~~  
10 ~~of Representatives;~~

11 ~~(D) The Director of Vocational and Technical Education shall be an~~  
12 ~~ex officio nonvoting member of the commission.~~

13 ~~(3) The commission shall be comprised of members with backgrounds and~~  
14 ~~expertise that will enhance public and private efforts in adult education and~~  
15 ~~literacy.~~

16 ~~(c) Members of the commission shall serve at the pleasure of the~~  
17 ~~Governor. Members shall serve without compensation. Members who are also~~  
18 ~~legislators shall be entitled to per diem and mileage allowances for~~  
19 ~~attendance at commission meetings at the same rate authorized by law for~~  
20 ~~legislators' attendance at meetings of interim committees of the General~~  
21 ~~Assembly. Commission members who are not legislators may receive expense~~  
22 ~~reimbursement in accordance with § 25-16-901 et seq.~~

23 ~~(d) The commission shall meet at least once quarterly.~~

24 ~~(e) The failure of a commission member to attend three (3) consecutive~~  
25 ~~meetings without excuse may result in action being taken for the removal of~~  
26 ~~that member at the discretion of the commission chairman.~~

27

28 ~~6-44-202. Staff assistance.~~

29 ~~The Director of Vocational and Technical Education may assign staff of~~  
30 ~~the Adult Education Office to assist the commission in carrying out its duties~~  
31 ~~and responsibilities. The commission shall have the authority to hire an~~  
32 ~~executive director and additional staff, provided funds become available for~~  
33 ~~that purpose.~~

34

35 ~~6-44-203. Duties.~~

36 ~~The commission shall serve in an advisory capacity to the Director of~~

1 ~~Vocational and Technical Education, Adult Education Office, and shall have the~~  
2 ~~following duties:~~

3 ~~(1) To assist in raising the focus on adult education in this~~  
4 ~~state through cooperative efforts between the public and private sector;~~

5 ~~(2) To promote statewide support to generate donations of money,~~  
6 ~~manpower, and facilities for literacy projects;~~

7 ~~(3) To assist in the development of statewide literacy goals;~~

8 ~~(4) To develop strategies and recommendations for projects to~~  
9 ~~achieve literacy goals in the state;~~

10 ~~(5) To identify and work for the elimination of any laws or~~  
11 ~~regulations which impede literacy enhancement efforts;~~

12 ~~(6) To prepare an annual report of adult literacy programs~~  
13 ~~statewide detailing the number of persons served and costs for the Governor~~  
14 ~~and the General Assembly;~~

15 ~~(7) To assist in the preparation of a directory of federal,~~  
16 ~~state, and local agencies, volunteer organizations, schools, and institutions~~  
17 ~~involved in the delivery of literacy and adult education services;~~

18 ~~(8) To recommend improvements in cooperative and collaborative~~  
19 ~~linkages among providers of educational services to undereducated adult~~  
20 ~~citizens in Arkansas; and~~

21 ~~(9) To assist in the development and implementation of support~~  
22 ~~services such as child care and transportation to improve levels of~~  
23 ~~participation in adult literacy programs.~~

24  
25 SECTION 27. Arkansas Code 6-46-101(c) is amended to read as follows:

26 "(c) The center shall also offer courses to adults to enhance their  
27 competencies and capabilities in high technology careers in coordination with  
28 the Adult Education Division ~~Section~~ of the ~~Department of Education,~~  
29 ~~Vocational and Technical Education Division~~ Department of Workforce  
30 Education."

31  
32 SECTION 28. Arkansas Code 6-50-101 is amended to read as follows:

33 "6-50-101. Contracts with private organizations.

34 The Director of the ~~Vocational and Technical Education Division~~  
35 Department of Workforce Education is hereby authorized to enter into contracts  
36 with private organizations, licensed by the ~~State Board of Education~~ State

1 ~~Board of Workforce Education and Career Opportunities,~~ in order to provide  
2 vocational-technical training to citizens of the State of Arkansas."

3  
4 SECTION 29. Arkansas Code, Title 6, Chapter 50, Subchapter 6 is  
5 repealed:

6 ~~6-50-601. Established - Members.~~

7 ~~(a) There is hereby created the 'Arkansas Advisory Council for~~  
8 ~~Vocational-Technical Education', with the Arkansas Economic Development~~  
9 ~~Commission designated as the state agency eligible to receive federal funds~~  
10 ~~for the Arkansas Advisory Council for Vocational-Technical Education and to~~  
11 ~~act as the council's fiscal agent for purposes of disbursement, accounting,~~  
12 ~~and auditing pursuant to 20 U.S.C. § 2322(c) and (e), and § 2323(c).~~

13 ~~(b) The council shall consist of thirteen (13) members appointed by the~~  
14 ~~Governor as hereinafter provided and shall serve in a manner prescribed by~~  
15 ~~this subchapter and 20 U.S.C. § 2301 et seq.~~

16 ~~(c) The Governor shall appoint persons to the council pursuant to 20~~  
17 ~~U.S.C. § 2322(a) who meet the following criteria:~~

18 ~~(1) Seven (7) individuals who are representative of the private~~  
19 ~~sector in Arkansas, and who shall constitute a majority of the membership of~~  
20 ~~the council, one (1) of whom shall be appointed by the Governor to serve as~~  
21 ~~chairman:~~

22 ~~(A) Four (4) of the members shall be chief executive~~  
23 ~~officers or high-level management of business or industries in Arkansas, one~~  
24 ~~(1) of whom shall represent small businesses;~~

25 ~~(B) One (1) shall represent agricultural interests in~~  
26 ~~Arkansas;~~

27 ~~(C) Two (2) shall be officers of organized labor in~~  
28 ~~Arkansas;~~

29 ~~(D) Furthermore, one (1) shall be a member of the State Job~~  
30 ~~Training Coordinating Council.~~

31 ~~(2)(A)(i) Six (6) individuals shall be appointed who are~~  
32 ~~representative of secondary and postsecondary institutions that offer programs~~  
33 ~~in vocational or technical education.~~

34 ~~(ii) Individuals appointed pursuant to subdivision~~  
35 ~~(c)(2) of this section shall be either senior management or senior~~  
36 ~~professionals or have held executive positions with the institutions or~~

1 ~~endeavors that they were appointed to the council to represent.~~

2 ~~(iii) Any individual appointed pursuant to~~  
3 ~~subdivision (c)(2) of this section who leaves the institution and its employ~~  
4 ~~yet maintains professional contacts and relationships pursuant to the category~~  
5 ~~represented shall be eligible to serve on the council.~~

6 ~~(B) In appointing members pursuant to subdivision (c)(2) of~~  
7 ~~this section, the Governor shall strive for equitable distribution between~~  
8 ~~postsecondary and secondary institutions and shall appoint:~~

9 ~~(i) One (1) individual to represent a state-supported~~  
10 ~~two-year or four-year institution of higher education;~~

11 ~~(ii) One (1) individual to represent a postsecondary~~  
12 ~~vocational-technical institution;~~

13 ~~(iii) One (1) individual to represent state-supported~~  
14 ~~corrections education;~~

15 ~~(iv) One (1) individual to represent special~~  
16 ~~education; and~~

17 ~~(v) One (1) individual to represent career guidance~~  
18 ~~and counseling organizations.~~

19 ~~(3)(A) Of the members appointed pursuant to this section, one (1)~~  
20 ~~shall represent the Senate and one (1) shall represent the House of~~  
21 ~~Representatives.~~

22 ~~(B) In appointing the membership of the entire council, the~~  
23 ~~Governor shall make efforts to provide for appropriate representation, where~~  
24 ~~possible, based on sex, race, or ethnic origin.~~

25 ~~(d) Those members of the council appointed pursuant to the provisions~~  
26 ~~of this subchapter and 20 U.S.C. § 2301 et seq. shall serve terms of three (3)~~  
27 ~~years.~~

28 ~~(e)(1) In the event a vacancy is created by the death or resignation of~~  
29 ~~a member or by other cause, a successor shall be appointed within fifteen (15)~~  
30 ~~days to serve for the remainder of the unexpired term.~~

31 ~~(2) In such event, the Governor shall appoint a successor within~~  
32 ~~fifteen (15) days of being notified.~~

33 ~~(f) No employee of the General Education Division or Vocational and~~  
34 ~~Technical Education Division of the Department of Education or any other state~~  
35 ~~agency administering training programs shall be eligible to serve on the~~  
36 ~~council, if so prohibited by federal law or regulations.~~



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~~6-50-602. Duties.~~

~~(a) The responsibilities of the Arkansas Advisory Council for Vocational-Technical Education shall include promotion of interest in vocational and technical education, assistance in developing the plans required by 20 U.S.C. § 2301 et seq., and advice to the State Board of Vocational Education.~~

~~(b) The council shall also:~~

~~(1) Meet with the board or its representative during the planning year to advise on the development of the state plan;~~

~~(2) Advise the board and make reports to the Governor, the business and industrial community, the General Assembly, and the general public concerning:~~

~~(A) Policies the state should pursue to strengthen vocational and technical education, with particular attention to programs for persons with disabilities;~~

~~(B) Initiatives and methods the private sector can undertake to help assure that the modernization of vocational and technical programs is of high quality;~~

~~(3) Analyze and report on the distribution of all vocational education funds in the state and on the availability of vocational education activities and services within the state;~~

~~(4) Consult with the board on the establishment of evaluation criteria for vocational education programs within the state;~~

~~(5) Submit recommendations to the board on the conduct of vocational education programs conducted in the state that emphasize the use of business concerns and labor organizations;~~

~~(6) Assess the distribution of financial assistance under this subchapter, particularly the distribution of financial assistance between secondary vocational education programs and postsecondary vocational education programs;~~

~~(7) Recommend procedures to the board to ensure and enhance the participation of the public in the provision of vocational education at the local level within the state, particularly the participation of local employers and local labor organizations;~~

~~(8) Report to the board on the extent to which individuals~~

1 ~~described in 20 U.S.C. § 2331(b) are provided with equal access to quality~~  
2 ~~vocational and technical programs;~~

3 ~~(9) Evaluate at least once every two (2) years the vocational~~  
4 ~~program delivery systems assisted under 20 U.S.C. § 2301 et seq. and the~~  
5 ~~federal Job Training Partnership Act in terms of adequacy and effectiveness in~~  
6 ~~achieving their respective purposes;~~

7 ~~(10) Make recommendations to the board on the adequacy and~~  
8 ~~effectiveness of the coordination that takes place between vocational~~  
9 ~~education and the federal Job Training Partnership Act;~~

10 ~~(11) Advise, in writing, the Governor, the State Board of~~  
11 ~~Vocational Education, the State Job Training Coordinating Council, the~~  
12 ~~Secretary of the United States Department of Education, and the Secretary of~~  
13 ~~the United States Department of Labor of the council's findings and~~  
14 ~~recommendations; and~~

15 ~~(12) Perform any other duties and functions as may be required by~~  
16 ~~state or federal law.~~

17  
18 ~~6-50-603. Council to advise State Board of Vocational Education --~~  
19 ~~Governor -- General Assembly.~~

20 ~~'The Arkansas Advisory Council for Vocational-Technical Education is~~  
21 ~~expected to advise the State Board of Vocational Education, the Governor, and~~  
22 ~~the General Assembly on all matters that pertain to vocational and technical~~  
23 ~~education and those programs that relate to other educational programs,~~  
24 ~~efforts, and services which are relevant to quality vocational and technical~~  
25 ~~programs and which may support the state's economic and industrial~~  
26 ~~development.~~

27  
28 ~~6-50-604. Personnel authorized.~~

29 ~~Pursuant to 20 U.S.C. § 2322, the Arkansas Advisory Council for Vocational-~~  
30 ~~Technical Education is authorized to obtain the services of professional,~~  
31 ~~technical, and clerical personnel necessary to enable it to carry out its~~  
32 ~~functions and to contract for services necessary to enable the council to~~  
33 ~~carry out its evaluation and operational functions independently of~~  
34 ~~programmatic and administrative control by other state boards, agencies, or~~  
35 ~~individuals.~~

36

1 ~~6-50-605. Funds - Compensation.~~

2 ~~(a) Funds necessary to accomplish the mandates of 20 U.S.C. § 2301 et~~  
 3 ~~seq. and this subchapter shall be provided from federal funds and from state~~  
 4 ~~funds through appropriation by the General Assembly.~~

5 ~~(b) Members of the Arkansas Advisory Council for Vocational-Technical~~  
 6 ~~Education shall serve without compensation but may receive expense~~  
 7 ~~reimbursement in accordance with § 25-16-901 et seq.~~

8  
 9 SECTION 30. Arkansas Code 6-50-504(b) is amended to read as follows:

10 "(b) In designing and implementing such these programs, the division  
 11 department shall require the selected demonstration projects to make a five-  
 12 year commitment to the program's effective implementation and to match state  
 13 funding with commitments from local participants, including employers and  
 14 unions, high schools, technical institutes or vocational and technical  
 15 schools, community colleges, technical colleges, and other appropriate  
 16 entities."

17  
 18 SECTION 31. Arkansas Code 6-50-505 is amended to read as follows:

19 "~~6-50-505. Waiver of regulations - Articulation agreements - Duties of~~  
 20 ~~State Board of Vocational Education~~ State Board of Workforce Education and  
 21 Career Opportunities.

22 (a) ~~The State Board of Education~~ State Board of Workforce Education and  
 23 Career Opportunities may provide waivers of regulations adopted by ~~either the~~  
 24 ~~General Education Division or the Vocational and Technical Education Division~~  
 25 Department of Workforce Education when ~~such~~ waivers are necessary to  
 26 accomplish the purposes of this subchapter, so long as ~~such the~~ waivers will  
 27 not weaken the quality of the educational opportunities provided.

28 (b)(1) ~~The Vocational and Technical Education Division~~ department shall  
 29 also take the lead role in seeking the establishment of articulation  
 30 agreements between high schools, technical institutes or vocational and  
 31 technical schools, and institutions of higher education, with a goal of  
 32 eliminating barriers to lifelong learning.

33 (2) The resulting articulation agreements will need to be approved  
 34 by the appropriate local and state boards of the participating school  
 35 districts, postsecondary technical institutes or vocational and technical  
 36 schools, and institutions of higher education.

1 (c) ~~The State Board of Vocational Education~~ board is authorized to  
2 promulgate rules and regulations for the implementation of the program  
3 established by this subchapter.”  
4

5 SECTION 32. Arkansas Code 6-51-203 is amended to read as follows:

6 “6-51-203. Determining school location and establishing courses of  
7 instruction.

8 (a) In determining the location of technical institutes or vocational-  
9 technical schools and in establishing the courses of instruction to be offered  
10 in the schools, ~~the State Board of Vocational Education~~ State Board of  
11 Workforce Education and Career Opportunities shall give consideration to:

- 12 (1) Trends in industrial development;
- 13 (2) Concentration of population;
- 14 (3) Concentration of industry;
- 15 (4) Natural resources; and
- 16 (5) Reasonable distance for people in all areas of the state.

17 (b)(1) ~~The State Board of Vocational Education~~ board shall develop a  
18 course content syllabus for each course of instruction offered in a  
19 postsecondary technical institute or vocational-technical school. The course  
20 syllabus for each course of instruction shall specify the essential  
21 competencies to be taught in ~~such~~ the course of instruction.

22 (2) Each instructor employed in a postsecondary technical institute  
23 or vocational-technical school shall utilize the appropriate course syllabus  
24 in providing instruction to postsecondary vocational students. It shall be  
25 the responsibility of the director of each postsecondary technical institute  
26 or vocational-technical school to ensure that vocational-technical instructors  
27 utilize the course syllabi developed pursuant to the provisions of this  
28 section in offering instruction to postsecondary vocational-technical  
29 students.

30 (3) The course syllabi required to be developed pursuant to the  
31 provisions of this section shall be adopted by the ~~State Board of Vocational~~  
32 ~~Education~~ board not later than July 1, 1990, and shall be utilized in  
33 postsecondary technical institutes or vocational-technical schools in the  
34 school year beginning 1990-1991.

35 (c)(1) ~~The State Board of Vocational Education~~ board and the ~~State~~  
36 ~~Board of Higher Education~~ Arkansas Higher Education Coordinating Board are

1 hereby authorized to certify certain courses of instruction offered by  
 2 postsecondary technical institutes or vocational-technical schools as being  
 3 equivalent to comparable courses offered by public two-year or four-year  
 4 institutions of higher education.

5 (2) Any course of instruction offered by postsecondary technical  
 6 institutes or vocational-technical schools that is certified as equivalent to  
 7 a comparable course of instruction offered by a two-year or four-year  
 8 institution of higher education shall be transferable for credit to a public  
 9 two-year or four-year institution of higher education.

10 (d) ~~The State Board of Higher Education~~ Arkansas Higher Education  
 11 Coordinating Board and the ~~State Board of Vocational Education~~ State Board of  
 12 Workforce Education and Career Opportunities shall promulgate rules and  
 13 regulations for implementation of the provisions of this section in accordance  
 14 with the accreditation standards of the receiving institutions.

15 (e) Students who matriculate ~~to~~ at institutions of higher education  
 16 shall meet the same standards for college and university admission as are  
 17 defined in § 6-61-110."

18  
 19 SECTION 33. Arkansas Code 6-51-206 is amended to read as follows:

20 "6-51-206. ~~Board~~ Local board's authority to sell, convey, or lease  
 21 unneeded lands.

22 (a) ~~The State Board of Vocational Education~~ local boards of technical  
 23 institutes and comprehensive lifelong learning centers ~~is~~ are authorized to  
 24 sell or convey lands belonging to any of the ~~vocational-technical schools~~  
 25 local boards of technical institutes and comprehensive lifelong learning  
 26 centers of this state if the local board shall determine that the lands are  
 27 not needed for vocational-technical educational purposes.

28 (b) In addition, the ~~State Board of Vocational Education~~ local board  
 29 may enter into long-term leases with private nonprofit organizations for the  
 30 location of mental health centers and other public service facilities not  
 31 operated for profit on any of the lands belonging to a technical institute or  
 32 vocational-technical school in this state if the local board determines that  
 33 the lands are not required for the present or anticipated future needs of the  
 34 school and that the lease thereof would serve a beneficial public service.

35 (c) The lease shall be under ~~such~~ those terms, for ~~such~~ that period of  
 36 time, and under ~~such~~ those conditions as the local board may determine would

1 be in the best interest of the State of Arkansas and the state's vocational -  
2 technical school program.”

3  
4 SECTION 34. Arkansas Code 6-51-208(a) is amended to read as follows:

5 “(a) ~~The State Board of Vocational Education~~ State Board of Workforce  
6 Education and Career Opportunities may establish a reasonable system of  
7 charges as fees to be paid by students in the technical institutes or  
8 vocational-technical schools and adult education courses, with the system of  
9 charges to be established according to the type of course of instruction and  
10 the length thereof.”

11  
12 SECTION 35. Arkansas Code 6-51-213(a) is amended to read as follows:

13 “(a) ~~The State Board of Vocational Education~~ State Board of Workforce  
14 Education and Career Opportunities is designated to:

15 (1) Carry into effect the provisions of the federal act and this  
16 act and have all necessary authority to cooperate with the United States  
17 Department of Education in the administration of the federal act;

18 (2) Administer any legislation pursuant thereto enacted by the  
19 General Assembly; and

20 (3) Administer the funds provided by the federal government and  
21 by the State of Arkansas under the provisions of the respective acts for the  
22 promotion of vocational and technical education, in agricultural subjects and  
23 in trade and industrial subjects, as well as in home economics family and  
24 consumer science.”

25  
26 SECTION 36. Arkansas Code 6-51-214 is amended to read as follows:

27 “6-51-214. Annual report and statement of finances.

28 ~~The State Board of Vocational Education~~ State Board of Workforce  
29 Education and Career Opportunities shall make a detailed report annually to  
30 the Governor setting forth the conditions of vocational and technical  
31 education in the State of Arkansas, a list of the schools to which federal and  
32 state aid has been provided, and a detailed statement of the expenditures of  
33 federal funds and of state funds provided in this act.”

34  
35 SECTION 37. Arkansas Code 6-51-215(a) is amended to read as follows:

36 “(a) The board of directors of any school district, any county board of

1 education, or the board of trustees of any state school, college, or  
 2 university may cooperate with the ~~State Board of Vocational Education~~ State  
 3 Board of Workforce Education and Career Opportunities in the establishment of  
 4 vocational schools, departments, or classes giving instruction in vocational  
 5 and technical subjects, including secondary instruction in agricultural  
 6 subjects, trades or industrial subjects, or ~~home economics~~ family and consumer  
 7 science subjects.”

8  
 9 SECTION 38. Arkansas Code 6-51-216(a) is amended to read as follows:

10 “(a) ~~(1)~~ The ~~State Board of Vocational Education~~ State Board of Workforce  
 11 Education and Career Opportunities is authorized to purchase, construct,  
 12 improve, equip, and maintain buildings, structures, parking facilities,  
 13 dormitory facilities, or other facilities and the lands on which they are  
 14 located at any state-supported technical institute or vocational-technical  
 15 school; ~~and.~~

16 (2) ~~In~~ in order to obtain funds therefor, the board is authorized  
 17 to issue revenue bonds secured by a pledge of income from those facilities and  
 18 a pledge of ~~such~~ other fees, rents, charges, tolls, and receipts of the school  
 19 where the facilities are to be purchased, constructed, improved, equipped, or  
 20 maintained, as shall be determined by the board.”

21  
 22 SECTION 39. Arkansas Code 6-51-302 is amended to read as follows:

23 “6-51-302. Approval of center establishment.

24 (a) The ~~State Board of Vocational Education~~ State Board of Workforce  
 25 Education and Career Opportunities may approve the establishment of vocational  
 26 centers to serve high school students from several school districts in  
 27 locations where ~~such~~ services are needed to:

28 (1) Support economic, industrial, and employment development  
 29 efforts;

30 (2) Provide equity and substantially equal access to quality  
 31 vocational programs; and

32 (3) Improve school programs ~~and assist schools to meet~~ to assist  
 33 schools in meeting accreditation standards.

34 (b) A comprehensive high school, a postsecondary technical institute or  
 35 a vocational-technical school, a community or two-year college, or a school  
 36 established by an education service cooperative which shall plan to offer five

1 (5) or more occupation-specific vocational and technical programs may be  
2 approved as a center by the ~~State Board of Vocational Education~~ board.

3 (c) The ~~State Board of Vocational Education~~ board shall only approve  
4 centers which utilize existing vocational education resources such as  
5 facilities, equipment, etc., except in those geographic areas in which  
6 comprehensive vocational offerings have not been developed and the state board  
7 determines that ~~such~~ those resources must be developed to accomplish the above  
8 ~~mentioned~~ purposes."

9  
10 SECTION 40. Arkansas Code 6-51-401(f) is amended to read as follows:

11 "(f)~~(1)~~ The courses of instruction as authorized in this subchapter may  
12 be offered as a part of the vocational education program of any high school in  
13 this state, and may be offered in any area high school, community college, ~~and~~  
14 ~~in or~~ technical institute or vocational-technical schools school of this  
15 state.

16 ~~(g)(2)~~ The course of instruction shall be in compliance with the  
17 appropriate rules and regulations and shall provide the level of instruction  
18 provided by rules of the ~~State Board of Vocational Education~~ board in  
19 cooperation with local plumbing training committees."

20  
21 SECTION 41. Arkansas Code 6-51-701(a) is amended to read as follows:

22 "(a) The ~~Vocational and Technical Education Division of the Department~~  
23 ~~of Education~~ Department of Workforce Education is hereby authorized to  
24 establish for the technical institutes or vocational and technical schools of  
25 this state an Associate of Applied Science Degree in Nursing Program."

26  
27 SECTION 42. Arkansas Code 6-51-701(c) is amended to read as follows:

28 "(c)~~(1)~~ Any technical institute or vocational-technical school desiring  
29 to offer the Associate of Applied Science Degree in Nursing Program may apply  
30 for approval to the ~~State Board of Vocational Education~~ State Board of  
31 Workforce Education and Career Opportunities.

32 ~~(2)~~ If approval is granted, the school must then seek approval  
33 from the Arkansas State Board of Nursing."

34  
35 SECTION 43. Arkansas Code 6-51-801(b) is amended to read as follows:

36 "(b) The board shall periodically review and revise, if necessary, the



1 community-based education center criteria. Such centers may include offerings  
 2 of traditional vocational and technical education during regular school hours,  
 3 extended day programs so that students may attend the center for vocational  
 4 instruction after regular school hours, adult basic education or general adult  
 5 education programs, adult skill training and retraining for the general  
 6 population, industry start-up and retraining, and workplace literacy."

7  
 8 SECTION 44. Arkansas Code 6-52-204(b) is amended to read as follows:

9 "(b) Advisory members of the coordination committee shall include the  
 10 following:

11 (1) One (1) person designated by and representing the ~~Vocational~~  
 12 ~~and Technical Education Division~~ department;

13 ~~(2) One (1) person designated by and representing the Advisory~~  
 14 ~~Council for Vocational-Technical Education;~~

15 ~~(3)(2) One (1) person designated by and representing the Department~~  
 16 ~~of Labor;~~

17 ~~(4)(3) One (1) person designated by and representing the Bureau of~~  
 18 ~~Apprenticeship and Training;~~

19 ~~(5)(4) One (1) person designated by and representing the teachers~~  
 20 ~~training division of the University of Arkansas; and~~

21 ~~(6)(5) One (1) person representing the general public who is~~  
 22 ~~familiar with the goals and needs of apprenticeship in Arkansas and who is not~~  
 23 ~~otherwise eligible for service on the coordination committee."~~

24  
 25 SECTION 45. Arkansas Code 6-82-1103(b)(6)(A) is amended to read as  
 26 follows:

27 "(6)(A) The recipient must have scored in the top ten (10) of all  
 28 Arkansans who took the General Educational Development Test in the calendar  
 29 year prior to application for the scholarship, beginning with test-takers in  
 30 1991, as certified to the Department of Higher Education by the ~~Office of~~  
 31 ~~Adult Education~~ Adult Education Section of the Department of Workforce  
 32 Education."

33  
 34 SECTION 46. Arkansas Code 6-82-1105(d) is amended to read as follows:

35 "(d) Beginning in 1992, the ~~Office of Adult Education~~ Adult Education  
 36 Section of the Department of Workforce Education is directed to provide to the

1 Department of Higher Education, by February 1 each year, a certified list of  
 2 the twenty-five (25) top scorers on the General Educational Development Test  
 3 administered in the previous calendar year.”

4  
 5 SECTION 47. Arkansas Code 10-3-1003 is amended to read as follows:

6 “10-3-1003. Routine collaboration with ~~Departments~~Department of  
 7 Education, Department of Workforce Education, and Department of Higher  
 8 Education.

9 (a) The House Interim Committee on Education and the Senate Interim  
 10 CommitteesCommittee on Education shall, between legislative sessions,  
 11 continually and routinely between legislative sessions;

12 (1) ~~assess~~Assess the needs and problems of:

13 (A) ~~the~~The public school districts of this state;

14 (B) ~~vocational/technical institutions~~Technical institutes  
 15 and vocational technical schools; and

16 (C) ~~institutions~~Institutions of higher education; and

17 (2) ~~engage~~Engage in a constant dialogue with the:

18 (A) ~~General Education Division for the~~ Department of  
 19 ~~Education,~~ the;

20 (B) ~~Vocational and Technical Education Division of the~~  
 21 Department of Workforce Education; and

22 (C) ~~the~~ Department of Higher Education.

23 (b) In order to assist the General Assembly, the ~~General Education~~  
 24 ~~Division for the~~ Department of Education, the ~~Vocational and Technical~~  
 25 ~~Education Division of the~~ Department of Workforce Education, and the  
 26 Department of Higher Education shall not only respond to the inquiries of the  
 27 House Interim Committee on Education and the Senate Interim Committee on  
 28 Education Committees, but shall of their own motion alert the membership of  
 29 the committees to problems, and needs of, and recommendations concerning, ~~of~~  
 30 all public education endeavors in Arkansas.”

31  
 32 SECTION 48. Arkansas Code 19-5-302(10)(A)(ii)(h) is amended to read as  
 33 follows:

34 “(h) ~~Advisory Council for Vocational-Technical Education~~ Department of  
 35 Workforce Education;”

1 SECTION 49. Arkansas Code 24-7-901 is amended to read as follows to  
2 correct references to the names of state entities in the section:

3 "24-7-901. Definitions.

4 As used in this subchapter, unless the context otherwise requires:

5 (1) 'State' means the State of Arkansas;

6 (2) 'Alternate retirement plan' means a retirement plan based on  
7 the purchase of contracts providing retirement and death benefits for the  
8 instructors and administrative staff of the technical institutes or  
9 postsecondary vocational-technical schools of the State of Arkansas and the  
10 staff of the ~~Vocational and Technical Education Division of the~~ Department of  
11 Workforce Education and which has been approved by the board;

12 (3) 'Retirement system' means the Arkansas Teacher Retirement  
13 System;

14 (4) 'School' means any technical institute or postsecondary  
15 vocational-technical school established pursuant to § 6-51-202 for the  
16 vocational training of students;

17 (5) 'Board' means the State Board of ~~Vocational~~ Workforce  
18 Education and Career Opportunities;

19 (6) 'Staff members' means both instructors and administrative  
20 staff of a technical institute or postsecondary vocational-technical school  
21 and the staff of the ~~Vocational and Technical Education Division of the~~  
22 Department of Workforce Education who are eligible for membership in the  
23 retirement system;

24 (7) ~~'Division'~~ 'Department' means the ~~Vocational and Technical~~  
25 ~~Education Division of the~~ Department of Workforce Education;

26 (8) 'Director' means the Director of ~~Vocational and Technical~~  
27 ~~Education of the~~ Department of Workforce Education."

28  
29 SECTION 50. Arkansas Code 25-1-105(c) is amended to read as follows:

30 "(c) In February of each year, the following state boards and  
31 commissions shall file their mission statements and annual reports with the  
32 Legislative Council:

33 (1) Arkansas State Board of Dental Examiners, ~~§ 17-82-201~~;

34 (2) State Board of Education & ~~Vocational Education~~, ~~§ 6-11-~~  
35 ~~101~~;

36 (3) State Board of Workforce Education and Career Opportunities,

- 1 § 25-30-101;
- 2 ~~(3)(4)~~ Compact for Education Commissioners ~~for~~ of Arkansas, ~~§~~ 6-
- 3 4-202~~};~~
- 4 ~~(4)(5)~~ Elevator Safety Board, ~~§~~ 20-24-105~~};~~
- 5 ~~(5)(6)~~ State Board of Embalmers & and Funeral Directors, ~~§~~ 17-
- 6 29-201~~};~~
- 7 ~~(6)(7)~~ State Board of Registration ~~of~~ for Professional Engineers
- 8 & and Land Surveyors, ~~§~~ 17-30-201~~};~~
- 9 ~~(7)(8)~~ State Forestry Commission, ~~§~~ ~~15-31-102~~ 15-31-101;
- 10 ~~(8)(9)~~ Arkansas State Board of Registration for Foresters, ~~§~~ 17-
- 11 31-201~~};~~
- 12 ~~(9)(10)~~ Arkansas Geological Commission, ~~§~~ 15-55-201~~};~~
- 13 ~~(10)(11)~~ Advisory Council for the Education of Gifted & and
- 14 Talented Children, ~~§~~ 6-42-104~~};~~
- 15 ~~(11)(12)~~ State Board of Health, ~~§~~ 20-7-102~~};~~
- 16 ~~(12)(13)~~ Board of Directors of the Arkansas Development Finance
- 17 Authority, ~~§~~ 15-5-202~~};~~
- 18 ~~(13)(14)~~ Board of Trustees of Henderson State University, ~~§~~ 6-
- 19 66-101~~};~~
- 20 ~~(14)(15)~~ ~~State Board of~~ Arkansas Higher Education Coordinating
- 21 Board, ~~§~~ 6-61-201~~};~~
- 22 ~~(15)(16)~~ ~~State~~ Arkansas History Commission, ~~§~~ 13-3-101~~};~~
- 23 ~~(16)(17)~~ Arkansas ~~Industrial~~ Economic Development Commission, ~~§~~
- 24 15-4-201~~};~~
- 25 ~~(17)(18)~~ Arkansas State Respiratory Care Examining Committee, ~~§~~
- 26 17-99-203~~};~~
- 27 ~~(18)(19)~~ Arkansas Board of Private Investigators and Private
- 28 Security Agencies, ~~§~~ 17-40-201~~};~~
- 29 ~~(19)(20)~~ Rural Fire Departments Study ~~Commission~~ Committee, ~~§~~
- 30 14-272-101~~};~~
- 31 ~~(20)(21)~~ State Kidney Disease Commission, ~~§~~ 20-15-602~~};~~
- 32 ~~(21)(22)~~ Long-Term Care Facility Advisory Board, ~~§~~ 20-10-301~~};~~
- 33 ~~(22)(23)~~ Liquefied Petroleum Gas Board, ~~§~~ 15-75-201~~};~~
- 34 ~~(23)~~ ~~Liquefied Petroleum Gas Board Advisory Committee~~ ~~§~~ ~~15-75-~~
- 35 ~~205 [repealed]~~
- 36 (24) Arkansas Livestock & and Poultry Commission, ~~§~~ 2-33-101~~};~~

- 1           (25) Arkansas State Board of Massage Therapy, ~~§~~ 17-86-201~~;~~  
 2           (26) Arkansas State Medical Board, ~~§~~ 17-95-301~~;~~ and  
 3           (27) Board of Developmental Disabilities Services, ~~§~~ 20-48-203~~;~~.”  
 4

5           SECTION 51. Arkansas Code 25-1-105(g) is amended to read as follows:

6           “(g) In June of each year, the following state boards and commissions  
 7 shall file their mission statements and annual reports with the Legislative  
 8 Council:

- 9           (1) Criminal Justice Institute Advisory Board for Law Enforcement  
 10 Management Training and Education, ~~§~~ 12-9-503~~;~~  
 11           (2) Department of Human Services State Institutional System  
 12 Board, ~~§~~ 25-10-402~~;~~  
 13           (3) Governor's Commission on People with Disabilities, ~~§~~ 20-14-  
 14 202~~;~~  
 15           (4) Arkansas Educational Television Commission, ~~§~~ 6-3-101~~;~~  
 16           (5) State Emergency Response Commission, ~~§~~ 12-82-104~~;~~  
 17           (6) Arkansas Fire Protection Services Board, ~~§~~ 20-22-803~~;~~  
 18           (7) Governor's Partnership Council for on Children & and  
 19 Families, ~~§~~ 6-5-601~~;~~  
 20           (8) State Highway Commission, ~~§ Amendment 42~~ Arkansas  
 21 Constitution, Amendment 42;  
 22           (9) Advisory Board of Directors of the Arkansas High Technology  
 23 Training Center, ~~Advisory Board of Directors~~ ~~§~~ 6-46-301~~;~~  
 24           (10) Home Health Care Service Agency Advisory Council, ~~§~~ 20-10-  
 25 804~~;~~  
 26           (11) Information Network of Arkansas, ~~§~~ 25-27-103~~;~~  
 27           (12) ~~Judicial Advisory Group~~ Advisory judicial group of the Board  
 28 of Correction and Community Punishment, ~~§~~ 12-27-104~~;~~  
 29           (13) Advisory Committee for Registration of Landscape Architects,  
 30 ~~§~~ 17-36-201~~;~~  
 31           ~~(14) Governor's Commission on Adult Literacy~~ ~~§~~ 6-44-201~~;~~  
 32           ~~(15)~~ (14) Mansion Advisory Council, ~~§~~ 22-3-806~~;~~  
 33           ~~(16)~~ (15) University of Arkansas College of Medicine Admissions  
 34 Board, ~~§~~ 6-64-405~~;~~  
 35           ~~(17)~~ (16) Statewide Minority Business Advisory Council, ~~§~~ 15-4-  
 36 303~~;~~

1           ~~(18)~~(17) Minority Teacher Recruitment Advisory Council, ~~§~~ 6-17-  
 2 1903];  
 3           ~~(19)~~(18) Arkansas Natural & and Cultural Heritage Advisory  
 4 Committee, ~~§~~ 25-3-104];  
 5           ~~(20)~~(19) Arkansas Natural & and Cultural Resources Council, ~~§~~  
 6 15-12-101];  
 7           ~~(21)~~(20) Advisory Board for Perinatal Health Services, ~~§~~ 20-7-  
 8 116];  
 9           ~~(22)~~(21) Public Health Advisory Board, ~~§~~ 20-57-202];  
 10           ~~(23)~~(22) Arkansas Public Service Commission, ~~§~~ 23-2-101];  
 11           ~~(24)~~(23) Quality Management Board, ~~§~~ 25-23-103];  
 12           ~~(25)~~ Rails to Trails Conservancy Task Force, ~~§~~ uncodified Act  
 13 682 of 1993 as amended];  
 14           ~~(26)~~(24) Seed Arbitration Committee for the State Plant Board, ~~§~~  
 15 2-23-104]; and  
 16           ~~(27)~~(25) Board of Trustees of Southern Arkansas University Board of  
 17 Trustees, ~~§~~ 6-65-401].”

19           SECTION 52. Arkansas Code 25-1-105(1) is amended to read as follows:

20           “(1) In November of each year, the following state boards and  
 21 commissions shall file their mission statements and annual reports with the  
 22 Legislative Council:

- 23           (1) Arkansas Scenic Resources Preservation Coordinating  
 24 Committee, ~~§~~ 15-20-707];  
 25           (2) Arkansas Minority Health Commission, ~~§~~ 20-2-102];  
 26           (3) Arkansas Ethics Commission, ~~§~~ 7-6-217];  
 27           (4) Arkansas Aviation & and Aerospace Commission, ~~§~~ 15-4-1501];  
 28           (5) Arkansas Public Defender Commission, ~~§~~ 16-87-202];  
 29           (6) Martin Luther King, Jr. Commission, ~~§~~ 25-24-101];  
 30           (7) State Commission on Child Support, ~~§~~ 9-14-401];  
 31           (8) Arkansas Pygmalion Commission on Nontraditional Education, ~~§~~  
 32 uncodified Act 1288 of 1993 as amended]; uncodified Acts 1993, No. 1288, § 3, as  
 33 amended by Acts 1995, No. 596, § 1; uncodified Acts 1997, No. 112, § 30;  
 34           (9) Arkansas Health Resources Commission, ~~§~~ 20-77-202];  
 35           (10) State Board of Disease Intervention Specialists, ~~§~~ 17-98-  
 36 201];

1 (11) Professional Bail Bond Company & and Professional Bail  
2 Bondsman Licensing Board, ~~§ 17-19-106~~;

3 ~~(12) Advisory Board on Juvenile Justice Standards § 9-27-203 §~~  
4 ~~repealed~~;

5 ~~(13)~~(12) Board of Correction & and Community Punishment, ~~§ 12-~~  
6 ~~27-104~~;

7 ~~(14)~~(13) Arkansas Tuition Trust Authority, ~~§ 6-62-903~~;

8 ~~(15)~~(14) Arkansas Public Transportation Coordination Council, ~~§~~  
9 ~~27-3-103~~;

10 ~~(16)~~(15) State Board of Registered Interior Designers, ~~§ 17-35-~~  
11 ~~201~~;

12 ~~(17)~~(16) State Board of Registered Residential Interior  
13 Designers, ~~§ 17-35-701~~;

14 ~~(18)~~(17) Arkansas Sentencing Commission, ~~§ 16-90-802~~;

15 ~~(19) Advisory Council for Vocational-Technical Education § 6-50-~~  
16 ~~601~~;

17 ~~(20)~~(18) ~~Small Business Stationary Source Technical &~~  
18 ~~Environmental Compliance Assistance Program Compliance Advisory Panel~~  
19 Compliance Advisory Panel of the Small Business Stationary Source Technical  
20 and Environmental Compliance Assistance Program, ~~§ 8-4-314~~;

21 ~~(21)~~(19) Arkansas Police Corps Planning Commission, ~~§ 6-82-~~  
22 ~~1202~~;

23 ~~(22)~~(20) ~~Multi-State~~ Multistate Tax Compact Advisory Committee,  
24 ~~§ 26-5-104~~;

25 ~~(23)~~(21) Community Work, Recreation, & and Youth Opportunities  
26 Commission, ~~§ 9-31-302~~;

27 ~~(24)~~(22) Arkansas Alternative Dispute Resolution Commission, ~~§~~  
28 ~~16-7-102~~; and

29 ~~(25)~~(23) State Board of Election Commissioners, ~~§ 7-4-101~~."

30  
31 SECTION 53. Arkansas Code 25-6-101 is amended to read as follows:

32 "25-6-101. Purpose.

33 ~~(a) The purpose and intent of this chapter is to divide the Department~~  
34 ~~of Education into two (2) major divisions, the General Education Division and~~  
35 ~~the Vocational and Technical Education Division, with each major division to~~  
36 ~~be under the supervision and direction of a separate director.~~

1       ~~(b) It is intended that all authority and responsibility of the State~~  
 2 ~~Board of Vocational Education be administered through the Vocational and~~  
 3 ~~Technical Education Division under the direction and supervision of the~~  
 4 ~~Director of Vocational and Technical Education, and that all authority and~~  
 5 responsibility of the State Board of Education be administered through the  
 6 ~~General Education Division~~ Department of Education under the direction and  
 7 supervision of the Director of ~~General Education~~ the Department of Education.

8       ~~(c) It is further the purpose and intent of this chapter that the~~  
 9 ~~authority and responsibility of the State Board of Vocational Education and~~  
 10 ~~the Vocational and Technical Education Division include general control and~~  
 11 ~~supervision of all programs of vocational, technical, and occupational~~  
 12 ~~education in secondary institutions. This authority shall apply to programs in~~  
 13 ~~state postsecondary vocational schools, area vocational high school centers,~~  
 14 ~~public schools, and in any other public educational facility or institution~~  
 15 ~~now in existence or hereafter established in the state with the exception of~~  
 16 ~~technical colleges, community colleges, universities, and colleges."~~

17  
 18       SECTION 54. Arkansas Code 25-6-102 is amended to read as follows:  
 19       "25-6-102. Organization - ~~Directors~~ Director.

20       (a) The Department of Education shall consist of:

21               (1)~~(A)~~ The State Board of Education;

22               ~~(B)~~ (2) The General Education Division Department of  
 23 Education under the direction and supervision of the Director of ~~General~~  
 24 Education the Department of Education; and

25               ~~(2)(A) The State Board of Vocational Education;~~

26               ~~(B) The Vocational and Technical Education Division under~~  
 27 ~~the direction and supervision of the Director of Vocational and Technical~~  
 28 ~~Education; and~~

29               (3) Any ~~other~~ divisions or subdivisions as presently exist within  
 30 the Department of Education or as may be created by the State Board of  
 31 Education ~~and the State Board of Vocational Education~~ or as created by law and  
 32 placed under the Department of Education.

33       (b) The State Board of Education ~~and the State Board of Vocational~~  
 34 ~~Education~~ shall continue to perform ~~their~~ its powers and duties as prescribed  
 35 by law.

36       (c)(1) The Director of ~~General Education~~ the Department of Education



1 ~~and the Director of Vocational and Technical Education shall be coequal, and~~  
 2 ~~each shall be a member of the Governor's Cabinet.~~

3 (2) ~~The Director of General Education~~ the Department of Education  
 4 shall perform all duties and exercise all powers relating to general education  
 5 as may be granted by law.

6 ~~(3) The Director of Vocational and Technical Education shall~~  
 7 ~~perform all duties and exercise all powers relating to vocational and~~  
 8 ~~technical education as are vested in the Director of Vocational and Technical~~  
 9 ~~Education by law or by the State Board of Vocational Education."~~

10  
 11 SECTION 55. Arkansas Code 25-6-103 through 25-6-106 are repealed.

12 ~~25-6-103. Powers and duties of department and State Board of Education.~~

13 ~~(a) In addition to any other powers, functions, and duties regarding~~  
 14 ~~vocational, technical, and occupational education which have been vested in~~  
 15 ~~the State Board of Education and the Department of Education, the State Board~~  
 16 ~~of Vocational Education and its staff shall have general supervision of all~~  
 17 ~~programs. All of those programs and the funding of those programs shall be~~  
 18 ~~subject to the approval of the board.~~

19 ~~(b)(1) The board's responsibilities shall include, but not be limited~~  
 20 ~~to, the following:~~

21 ~~(A) Establishing policies relating to plans and~~  
 22 ~~specifications for facilities and instructional equipment;~~

23 ~~(B) Prescribing standardized standards for programs and~~  
 24 ~~teachers;~~

25 ~~(C) Approving applied courses of related academic~~  
 26 ~~instruction; and~~

27 ~~(D) Other items relative to program quality and operation.~~

28 ~~(2) The board shall have the authority to reorganize and~~  
 29 ~~restructure current programs and personnel in the institutions covered in this~~  
 30 ~~section. Any savings of appropriated funds effected thereby may be used by the~~  
 31 ~~board for other programs as it deems appropriate.~~

32 ~~(3) The board shall also have the authority to administer special~~  
 33 ~~programs of vocational education supported with moneys set aside for~~  
 34 ~~vocational education from the Public School Fund through §§ 6-20-310 - 6-20-~~  
 35 ~~313. This authority shall be extended to subsequent amendments, if any, to §§~~  
 36 ~~6-20-310 - 6-20-313.~~

1           ~~(c) The State Board of Education shall continue to be responsible for~~  
2 ~~the administration of all funds appropriated by the General Assembly for~~  
3 ~~transportation, textbooks, school lunch programs, and minimum foundation~~  
4 ~~reimbursement based on average daily membership for students enrolled in~~  
5 ~~vocational education programs in the public schools, and these funds shall be~~  
6 ~~administered through the General Education Division.~~

7  
8           ~~25-6-104. Authority of Director of Vocational and Technical Education to~~  
9 ~~enter into contracts.~~

10 ~~The Director of Vocational and Technical Education is authorized to enter into~~  
11 ~~contracts with private organizations licensed by the State Board of Education~~  
12 ~~or the State Board of Vocational Education in order to provide vocational-~~  
13 ~~technical training to needy citizens of the State of Arkansas.~~

14  
15           ~~25-6-105. Transfer of powers to Economic Development Commission and~~  
16 ~~Department of Economic Development.~~

17 ~~— All powers, functions, and duties heretofore vested in and exercised by~~  
18 ~~the Vocational and Technical Education Division of the Department of Education~~  
19 ~~with respect to the Arkansas Industry Training Program are hereby transferred~~  
20 ~~to and shall hereafter be vested in the Arkansas Economic Development~~  
21 ~~Commission and the Department of Economic Development.~~

22  
23           ~~25-6-106. Adult education funds.~~

24 ~~— Notwithstanding the provisions of any other act passed by the Seventy-~~  
25 ~~eighth General Assembly, the State Board of Vocational Education shall remain~~  
26 ~~the sole state agency to administer any and all state and federal adult~~  
27 ~~education funds. The State Board of Vocational Education shall distribute~~  
28 ~~federal adult education funds to participating institutions under the~~  
29 ~~effective and efficient funding formula as established by the State Board of~~  
30 ~~Vocational Education.~~

31  
32           SECTION 56. Arkansas Code Title 25, Chapter 6, Subchapter 2 is  
33 ~~repealed.~~

34           ~~25-6-201. Arkansas Rehabilitation Services.~~

35 ~~— (a) Effective July 1, 1993, the Division of Rehabilitation Services of~~  
36 ~~the Department of Human Services is transferred to the Vocational and~~

1 ~~Technical Education Division of the Department of Education and shall be known~~  
2 ~~as the Arkansas Rehabilitation Services. The State Board of Vocational~~  
3 ~~Education shall have the same authority and responsibility with respect to the~~  
4 ~~administration and operation of the Arkansas Rehabilitation Services as it has~~  
5 ~~with respect to the Vocational and Technical Education Division.~~

6 ~~(b) The policy and scope of the Arkansas Rehabilitation Services shall~~  
7 ~~be to provide increased employment of individuals with disabilities through~~  
8 ~~the provision of individualized training, independent living services,~~  
9 ~~educational and support services, and meaningful opportunities for employment~~  
10 ~~in integrated work settings to maximize employment, economic self-sufficiency,~~  
11 ~~independence, and inclusion and integration into society.~~

12 ~~(c) Pursuant to such policy, rehabilitation services shall be provided~~  
13 ~~to citizens throughout the state, and the rehabilitation plan adopted pursuant~~  
14 ~~to this subchapter shall be in effect in all political subdivisions of the~~  
15 ~~state.~~

16  
17 ~~25-6-202. Scope of authority.~~

18 ~~— (a) All authorities and responsibilities defined in § 20-79-201 et seq.~~  
19 ~~shall be administered by the Arkansas Rehabilitation Services under the~~  
20 ~~direction of the State Board of Vocational Education, except those~~  
21 ~~transferred to the Division of State Services for the Blind of the Department~~  
22 ~~of Human Services by § 25-10-201 et seq.~~

23 ~~— (b) Any and all statutory authority, powers, duties, functions,~~  
24 ~~records, authorized positions, property, unexpended balances of~~  
25 ~~appropriations, allocations, or other funds transferred from the Division of~~  
26 ~~Rehabilitation Services to the Department of Human Services by Acts 1985, No.~~  
27 ~~348, are hereby transferred to the Arkansas Rehabilitation Services of the~~  
28 ~~Vocational and Technical Education Division of the Department of Education.~~

29  
30 ~~25-6-203. Powers and duties.~~

31 ~~— The State Board of Vocational and Technical Education, through the~~  
32 ~~Arkansas Rehabilitation Services, shall provide the rehabilitation services~~  
33 ~~authorized by this subchapter to eligible physically or mentally disabled~~  
34 ~~individuals and those who can benefit from independent living services,~~  
35 ~~determined by the agency to be eligible therefor, and, in carrying out the~~  
36 ~~purposes of this subchapter, the Arkansas Rehabilitation Services is~~

1 ~~authorized, among other things:~~

2 ~~\_\_\_\_\_ (1) To be the sole state agency to supervise and administer the~~  
3 ~~rehabilitation services authorized by this subchapter except such part or~~  
4 ~~parts as may be administered by a local agency in a political subdivision of~~  
5 ~~the state, in which case the service shall be the sole agency to supervise~~  
6 ~~such local agency in the administration of such part or parts; and~~

7 ~~\_\_\_\_\_ (2) To conduct research and compile statistics relative to the~~  
8 ~~provision of services or the need of services of disabled individuals.~~

9  
10 ~~\_\_\_\_\_ 25-6-204. Eligibility for retirement systems.~~

11 ~~\_\_\_\_\_ (a) All employees of the Arkansas Rehabilitation Services as of July 1,~~  
12 ~~1993, shall be eligible for membership in the Arkansas Public Employees'~~  
13 ~~Retirement System, Arkansas Teacher Retirement System, or alternate retirement~~  
14 ~~systems.~~

15 ~~\_\_\_\_\_ (b) Any such employee who desires to change retirement systems must do~~  
16 ~~so within ninety (90) calendar days after July 1, 1993.~~

17  
18 ~~\_\_\_\_\_ 25-6-205. Office facilities.~~

19 ~~\_\_\_\_\_ The Arkansas State Building Services shall ensure that all offices of~~  
20 ~~the Arkansas Rehabilitation Services of the Vocational and Technical Education~~  
21 ~~Division of the Department of Education are exemplary models of accessibility~~  
22 ~~and conform to the Americans with Disabilities Act accessibility guidelines.~~

23  
24 SECTION 57. Arkansas Code Title 25, Chapter 6, Subchapter 3 is  
25 repealed.

26 ~~§ 25-6-301. Title.~~

27 ~~\_\_\_\_\_ This subchapter shall be known and may be cited as the 'Workforce~~  
28 ~~Education Act of 1997.'~~

29  
30 ~~§ 25-6-302. State Board of Workforce Education and Career Opportunities.~~

31 ~~\_\_\_\_\_ (a) There is hereby created the State Board of Workforce Education and~~  
32 ~~Career Opportunities, hereinafter referred to as 'the board.'~~

33 ~~\_\_\_\_\_ (b) The State Board of Vocational Education created by § 6-11-101 is~~  
34 ~~abolished and transferred to the State Board of Workforce Education and Career~~  
35 ~~Opportunities by a Type Three Transfer under § 25-2-106.~~

36 ~~\_\_\_\_\_ (c) The State Board of Workforce Education and Career Opportunities~~

1 ~~shall be composed as follows:~~

2 ~~\_\_\_\_\_ (1) Seven (7) members appointed by the Governor subject to~~  
3 ~~confirmation by the Senate, one (1) member from each congressional district~~  
4 ~~and three (3) members from the state at large. The members shall be selected~~  
5 ~~from among parents, business, industry, labor, persons with disabilities,~~  
6 ~~minorities, and other groups who shall be representative of the many career~~  
7 ~~opportunities available in the state such as: administration, business and~~  
8 ~~finance management; agriculture, forestry and natural resources; art, media,~~  
9 ~~and communications; construction and extractive; education and training~~  
10 ~~services; health and medical services; hospitality and tourism; legal and~~  
11 ~~protective services; manufacturing, processing and systems operations;~~  
12 ~~marketing, sales and promotion; mechanical/technical services and precision~~  
13 ~~crafts; natural and applied science and engineering; personal and commercial~~  
14 ~~services; and transportation and material moving;~~

15 ~~\_\_\_\_\_ (2) One (1) member who shall be representative of vocational~~  
16 ~~instructional programs appointed by the Arkansas Vocational Association;~~

17 ~~\_\_\_\_\_ (3) One (1) member who shall be representative of rehabilitative~~  
18 ~~services appointed by the Director of Arkansas Rehabilitation Services;~~

19 ~~\_\_\_\_\_ (4) One (1) member who shall be representative of adult education~~  
20 ~~appointed by the Arkansas Association of Public Continuing and Adult~~  
21 ~~Education;~~

22 ~~\_\_\_\_\_ (5) One (1) member who shall be representative of public schools~~  
23 ~~appointed by the Arkansas Association of Educational Administrators; and~~

24 ~~\_\_\_\_\_ (6) Six (6) members of the Arkansas General Assembly who shall~~  
25 ~~serve only in an ex officio nonvoting capacity and shall be selected as~~  
26 ~~follows:~~

27 ~~\_\_\_\_\_ (A) Two (2) members appointed by the Speaker of the House;~~

28 ~~\_\_\_\_\_ (B) Two (2) members appointed by the President Pro Tempore~~  
29 ~~of the Senate;~~

30 ~~\_\_\_\_\_ (C) One (1) member appointed by the Black Caucus; and~~

31 ~~\_\_\_\_\_ (D) One (1) member appointed by the Women's Caucus.~~

32 ~~\_\_\_\_\_ (d) (1) The term of office of members appointed by the Governor shall be~~  
33 ~~seven (7) years, except that at the first meeting, the members shall draw lots~~  
34 ~~for staggered terms so that no more than one (1) membership shall expire each~~  
35 ~~year on June 30.~~

36 ~~\_\_\_\_\_ (2) All other appointed members shall serve only until July 1,~~

1 ~~1999.~~

2 ~~\_\_\_\_\_ (e) No person may serve as member of the board unless he is a qualified~~  
3 ~~elector of this state.~~

4 ~~\_\_\_\_\_ (f) No candidate for or holder of a public office in the state;~~  
5 ~~Director of the Department of Education or Department of Higher Education;~~  
6 ~~employee of a public school district; employee of a postsecondary or higher~~  
7 ~~education institution; or member of any board of directors or board of~~  
8 ~~trustees of any postsecondary or higher education institution in this state~~  
9 ~~shall serve as a member of the State Board of Workforce Education and Career~~  
10 ~~Opportunities.~~

11 ~~\_\_\_\_\_ (g) When a vacancy occurs in the membership of the board, a successor~~  
12 ~~will be appointed in the same manner as the person succeeded and will serve~~  
13 ~~the person's unexpired term, subject to all other provisions of this~~  
14 ~~subchapter.~~

15 ~~\_\_\_\_\_ (h) The members of the board shall serve without remuneration except as~~  
16 ~~specified in § 25-16-901 et seq. for the State Board of Vocational Education.~~

17 ~~\_\_\_\_\_ (i) The board shall elect from its own number a chairman and such other~~  
18 ~~officers as may be deemed necessary to carry on its business.~~

19 ~~\_\_\_\_\_ (j) The board shall meet at least once during each calendar quarter and~~  
20 ~~at such other times upon call of the chairman or any other three (3) members.~~

21 ~~\_\_\_\_\_ (k) The board shall appoint from its membership a liaison officer to~~  
22 ~~the Board of Education, the Board of Higher Education, the Department of Human~~  
23 ~~Services, the Department of Employment Security, and the Arkansas Industrial~~  
24 ~~Development Commission. Liaison officers shall attend the board/council~~  
25 ~~meetings and/or other appropriate meetings as designated by the chairman and~~  
26 ~~shall represent and articulate the policies of the board to these~~  
27 ~~boards/councils and agencies.~~

28 ~~\_\_\_\_\_ (l) The Director of the Department of Education and the Director of the~~  
29 ~~Department of Higher Education shall serve as ex officio nonvoting members of~~  
30 ~~the Workforce Education and Career Opportunities Board.~~

31 ~~\_\_\_\_\_ (m) The Director of the Department of Higher Education and the Director~~  
32 ~~of the Department of Workforce Education shall serve as ex officio nonvoting~~  
33 ~~members of the State Board of Education.~~

34 ~~\_\_\_\_\_ (n) The Director of the Department of Workforce Education and the~~  
35 ~~Director of the Department of Education shall serve as ex officio nonvoting~~  
36 ~~members of the State Board of Higher Education.~~

1

2 ~~§ 25-6-303. Powers and duties of the state board.~~

3 ~~(a) The board shall, on April 24, 1997, become vested with, and succeed~~  
4 ~~to, all the rights, titles, powers, interests, obligations, duties and~~  
5 ~~responsibilities of the State Board of Vocational Education.~~

6 ~~(b) The board shall develop and monitor a state plan for vocational and~~  
7 ~~technical education which shall include the establishment of at least one (1)~~  
8 ~~area vocational center in each educational service cooperative area and in~~  
9 ~~Pulaski County. All policy issues affecting the public schools will be~~  
10 ~~developed by the board after consultation with the State Board of Education~~  
11 ~~and implemented in coordination with the Department of Education and/or the~~  
12 ~~education service cooperatives.~~

13 ~~(c) All references in the laws of this state to the State Board of~~  
14 ~~Vocational Education shall be construed to refer to the State Board of~~  
15 ~~Workforce Education and Career Opportunities.~~

16

17 ~~§ 25-6-304. Department of Workforce Education.~~

18 ~~(a) There is hereby created the Department of Workforce Education,~~  
19 ~~hereinafter referred to as 'the department.'~~

20 ~~(b) The Vocational and Technical Education Division of the Department~~  
21 ~~of Education created by § 25-6-101, the Governor's Commission on Adult~~  
22 ~~Literacy created by § 6-44-201, and the Advisory Council for Vocational-~~  
23 ~~Technical Education created by § 6-50-601 are abolished and transferred to the~~  
24 ~~Department of Workforce Education by a Type 3 Transfer under § 25-2-106.~~

25 ~~(c) The Arkansas Rehabilitation Services as an agency responsible to~~  
26 ~~the State Board of Workforce Education and Career Opportunities and as a part~~  
27 ~~of the Department of Workforce Education shall function as an agency in~~  
28 ~~accordance with § 6-52-101 et seq. and § 25-6-201 et seq., which is the~~  
29 ~~enabling legislation that transferred Arkansas Rehabilitation Services to the~~  
30 ~~Department of Education, Vocational and Technical Education Division, and~~  
31 ~~addresses the mission, authority and responsibilities of Arkansas~~  
32 ~~Rehabilitation Services. This subchapter shall assure that Arkansas~~  
33 ~~Rehabilitation Services functions organizationally at a level at least equal~~  
34 ~~to that of any division or entity of the Department of Workforce Education.~~

35 ~~(d) The board shall appoint a director of the department who shall be~~  
36 ~~confirmed by the Governor and serve at the pleasure of the Governor.~~

1 ~~\_\_\_\_\_ (e) The director shall devote all of his time to the duties of his~~  
2 ~~office, shall act as agent of the board, and perform such other duties as are~~  
3 ~~designated by the board or by statute.~~

4 ~~\_\_\_\_\_ (f) The director shall serve as the ex officio secretary of the board~~  
5 ~~without vote.~~

6 ~~\_\_\_\_\_ (g) The person selected as Director of the Department of Workforce~~  
7 ~~Education must be a person of good moral character, recognized as a leader in~~  
8 ~~the field of vocational or workforce education, qualified technically and by~~  
9 ~~experience to direct the work of the department.~~

10 ~~\_\_\_\_\_ (h) No person who is related within the fourth degree of consanguinity~~  
11 ~~or affinity to any member of the board shall be eligible to serve as director~~  
12 ~~of the department.~~

13  
14 ~~\_\_\_\_\_ § 25-6-305. Powers and duties of the department.~~

15 ~~\_\_\_\_\_ (a) The Department of Workforce Education shall, on April 24, 1997,~~  
16 ~~become vested with, and succeed to, all the rights, titles, powers, interest,~~  
17 ~~obligations, duties, and responsibilities of the Vocational and Technical~~  
18 ~~Education Division of the Department of Education.~~

19 ~~\_\_\_\_\_ (b) All personnel of the department shall be employed by and serve at~~  
20 ~~the pleasure of the director; provided, nothing in this section shall be so~~  
21 ~~construed as to reduce any rights or benefits of employees, including~~  
22 ~~retirement benefits, that they had when employed by the Vocational and~~  
23 ~~Technical Division of the Department of Education.~~

24 ~~\_\_\_\_\_ (c) All references in the laws of this state to the Vocational and~~  
25 ~~Technical Education Division of the Department of Education shall be construed~~  
26 ~~to refer to the Department of Workforce Education.~~

27  
28 ~~§ 25-6-306. Coordination with State Board of Education and Department of~~  
29 ~~Education.~~

30 ~~\_\_\_\_\_ The State Board of Workforce Education and Career Opportunities and the~~  
31 ~~State Board of Education shall coordinate their activities to ensure that~~  
32 ~~academic, workplace, and technical skills create opportunities for a strong~~  
33 ~~comprehensive education regardless of the student's ultimate career choice.~~

34  
35 ~~\_\_\_\_\_ § 25-6-307. Coordination with State Board of Higher Education and~~  
36 ~~Department of Higher Education.~~



1 ~~The State Board of Workforce Education and Career Opportunities and the State~~  
 2 ~~Board of Higher Education shall coordinate their activities to ensure that~~  
 3 ~~secondary and postsecondary career preparation is connected to create~~  
 4 ~~opportunities for a strong comprehensive education regardless of the student's~~  
 5 ~~ultimate career choice. In addition, the two boards shall participate in a~~  
 6 ~~collaborative planning process annually for the distribution of federal funds~~  
 7 ~~for workforce education activities, including vocational and technical~~  
 8 ~~education. Such distribution shall be pursuant to written agreement between~~  
 9 ~~the two boards.~~

10  
 11 ~~§ 25-6-308. Workforce Development Commission.~~

12 ~~(a) A Workforce Development Commission shall be established to do a~~  
 13 ~~comprehensive study of the state's workforce development needs and~~  
 14 ~~capabilities. The commission shall be composed as follows:~~

15 ~~(1) Two (2) members of the House of Representatives, appointed by~~  
 16 ~~the Speaker of the House;~~

17 ~~(2) Two (2) members of the Senate, appointed by the President Pro~~  
 18 ~~Tempore of the Senate;~~

19 ~~(3) One (1) member of the General Assembly appointed by the Black~~  
 20 ~~Caucus;~~

21 ~~(4) One (1) member of the General Assembly appointed by the~~  
 22 ~~Women's Caucus;~~

23 ~~(5) One (1) president or chancellor representing two-year~~  
 24 ~~institutions of higher education, selected by the presidents and chancellors~~  
 25 ~~of those institutions;~~

26 ~~(6) One (1) president or chancellor representing four-year~~  
 27 ~~institutions of higher education, selected by the presidents and chancellors~~  
 28 ~~of those institutions;~~

29 ~~(7) One (1) president or director representing technical~~  
 30 ~~institutes, selected by the presidents and directors of those institutes;~~

31 ~~(8) Two (2) public school teachers representing secondary~~  
 32 ~~vocational education appointed by the Governor;~~

33 ~~(9) One (1) person representing adult education selected by the~~  
 34 ~~Arkansas Association of Public Continuing and Adult Education;~~

35 ~~(10) One (1) local school district superintendent, selected by~~  
 36 ~~the Arkansas Association of Educational Administrators;~~

1 ~~\_\_\_\_\_ (11) The Director of the Arkansas Industrial Development  
2 Commission or his designee;~~

3 ~~\_\_\_\_\_ (12) The Director of the Employment Security Division or his  
4 designee;~~

5 ~~\_\_\_\_\_ (13) The Director of Arkansas Rehabilitation Services or his  
6 designee;~~

7 ~~\_\_\_\_\_ (14) Seven (7) persons representing business, industry, and  
8 organized labor, one (1) of whom will be chosen by the Arkansas State Chamber  
9 of Commerce, another chosen by the AFL-CIO, and the remainder appointed by the  
10 Governor; and~~

11 ~~\_\_\_\_\_ (15) The Director of the Department of General Education.~~

12 ~~\_\_\_\_\_ (b) The Workforce Development Commission shall:~~

13 ~~\_\_\_\_\_ (1) Develop a state plan for better delivery of technical  
14 education and training in needed skills, which shall include moving toward the  
15 establishment of at least one (1) area secondary vocational center in each  
16 education service cooperative area and in Pulaski County, and for maximizing  
17 the effectiveness of postsecondary vocational and technical education;~~

18 ~~\_\_\_\_\_ (2) Ensure the continuing viability of student vocational  
19 organizations; and~~

20 ~~\_\_\_\_\_ (3) Energize the private sector as partners in vocational and  
21 technical education throughout the state.~~

22 ~~\_\_\_\_\_ (c) The Workforce Development Commission shall complete its work and  
23 report to the Governor and the General Assembly on or before December 1, 1997,  
24 and shall cease to exist as of January 31, 1998.~~

25 ~~\_\_\_\_\_ (d) The Workforce Development Commission members are authorized to  
26 receive reimbursement for actual expenses while performing the work of the  
27 commission in accordance with § 25-16-901 et seq.~~

28 ~~\_\_\_\_\_ (e) (1) The Workforce Development Commission shall be staffed by a  
29 director, to be appointed by the Governor, and other persons as are funded by  
30 law.~~

31 ~~\_\_\_\_\_ (2) Staff support shall be provided by the Department of General  
32 Education, the Department of Higher Education, the Arkansas Industrial  
33 Development Commission, and the Employment Security Division."~~

34  
35 SECTION 58. Arkansas Code Title 25 is amended to add new Chapter 30 to  
36 read as follows:

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Chapter 30.  
Department of Workforce Education.

Subchapter 1.  
Workforce Education.

"25-30-101. State Board of Workforce Education and Career Opportunities.

(a) There is hereby created the State Board of Workforce Education and Career Opportunities, hereinafter referred to as 'the board'.

(b) The State Board of Vocational Education created by § 6-11-101 is abolished and transferred to the State Board of Workforce Education and Career Opportunities by a type 3 transfer under § 25-2-106.

(c) The State Board of Workforce Education and Career Opportunities shall be composed as follows:

(1)(A) Seven (7) members appointed by the Governor subject to confirmation by the Senate, one (1) member from each congressional district and three (3) members from the state at large.

(B) The members shall be selected from among parents, business, industry, labor, persons with disabilities, minorities, and other groups who shall be representative of the many career opportunities available in the state such as:

(i) Administration, business, and finance management;

(ii) Agriculture, forestry, and natural resources;

(iii) Art, media, and communications;

(iv) Construction and extractive;

(v) Education and training services;

(vi) Health and medical services;

(vii) Hospitality and tourism;

(viii) Legal and protective services;

(ix) Manufacturing, processing, and systems operations;

(x) Marketing, sales, and promotion;

(xi) Mechanical and technical services and precision

1 crafts;

2 (xii) Natural and applied science and engineering;

3 (xiii) Personal and commercial services; and

4 (xiv) Transportation and material moving;

5 (2) One (1) member who shall be representative of vocational  
6 instructional programs appointed by the Arkansas Vocational Association;

7 (3) One (1) member who shall be representative of rehabilitative  
8 services appointed by the Director of the Arkansas Rehabilitation Services;

9 (4) One (1) member who shall be representative of adult education  
10 appointed by the Arkansas Association of Public Continuing and Adult  
11 Education;

12 (5) One (1) member who shall be representative of public schools  
13 appointed by the Arkansas Association of Educational Administrators; and

14 (6) Six (6) members of the General Assembly who shall serve only  
15 in an ex officio nonvoting capacity and shall be selected as follows:

16 (A) Two (2) members appointed by the Speaker of the House;

17 (B) Two (2) members appointed by the President Pro Tempore  
18 of the Senate;

19 (C) One (1) member appointed by the Black Caucus; and

20 (D) One (1) member appointed by the Women's Caucus.

21 (d)(1) The term of office of members appointed by the Governor shall be  
22 seven (7) years, except that at the first meeting, the members shall draw lots  
23 for staggered terms so that no more than one (1) membership shall expire each  
24 year on June 30.

25 (2) All other appointed members shall serve only until July 1,  
26 1999.

27 (e) No person may serve as a member of the board unless he is a  
28 qualified elector of this state.

29 (f) No candidate for or holder of a public office in the state,  
30 Director of the Department of Education or Department of Higher Education,  
31 employee of a public school district, employee of a postsecondary or higher  
32 education institution, or member of any board of directors or board of  
33 trustees of any postsecondary or higher education institution in this state  
34 shall serve as a member of the State Board of Workforce Education and Career  
35 Opportunities.

36 (g) When a vacancy occurs in the membership of the board, a successor

1 will be appointed in the same manner as the person succeeded and will serve  
2 the person's unexpired term, subject to all other provisions of this  
3 subchapter.

4 (h) The members of the board shall serve without remuneration except as  
5 specified in § 25-16-901 et seq. for the State Board of Vocational Education.

6 (i) The board shall elect from its own number a chairman and such other  
7 officers as may be deemed necessary to carry on its business.

8 (j) The board shall meet at least once during each calendar quarter and  
9 at such other times upon call of the chairman or any other three (3) members.

10 (k)(1) The board shall appoint from its membership a liaison officer to  
11 the State Board of Education, the Arkansas Higher Education Coordinating  
12 Board, the Department of Human Services, the Arkansas Employment Security  
13 Department, and the Arkansas Economic Development Commission.

14 (2) Liaison officers shall attend the board and council meetings  
15 or other appropriate meetings as designated by the chairman and shall  
16 represent and articulate the policies of the board to these boards, councils,  
17 and agencies.

18 (l) The Director of the Department of Education and the Director of the  
19 Department of Higher Education shall serve as ex officio nonvoting members of  
20 the State Board of Workforce Education and Career Opportunities.

21 (m) The Director of the Department of Higher Education and the Director  
22 of the Department of Workforce Education shall serve as ex officio nonvoting  
23 members of the State Board of Education.

24 (n) The Director of the Department of Workforce Education and the  
25 Director of the Department of Education shall serve as ex officio nonvoting  
26 members of the Arkansas Higher Education Coordinating Board.

27  
28 25-30-102. Powers and duties of the State Board of Workforce Education  
29 and Career Opportunities.

30 (a) The State Board of Workforce Education and Career Opportunities  
31 shall, on April 24, 1997, become vested with, and succeed to, all the rights,  
32 titles, powers, interests, obligations, duties, and responsibilities of the  
33 State Board of Vocational Education.

34 (b) The State Board of Workforce Education and Career Opportunities  
35 shall develop and monitor a state plan for vocational and technical education  
36 which shall include the establishment of at least one (1) area vocational

1 center in each educational service cooperative area and in Pulaski County. All  
2 policy issues affecting the public schools will be developed by the State  
3 Board of Workforce Education and Career Opportunities after consultation with  
4 the State Board of Education and implemented in coordination with the  
5 Department of Education, or the education service cooperatives, or both.

6 (c) The State Board of Workforce Education and Career Opportunities  
7 shall have general supervision of all programs regarding vocational,  
8 technical, and occupational education. All of those programs and the funding  
9 of those programs shall be subject to the approval of the board.

10 (d)(1) The responsibilities of the State Board of Workforce Education  
11 and Career Opportunities shall include, but not be limited to, the following:

12 (A) Establishing policies relating to plans and  
13 specifications for facilities and instructional equipment;

14 (B) Prescribing standardized standards for programs and  
15 teachers;

16 (C) Approving applied courses of related academic  
17 instruction; and

18 (D) Other items relative to program quality and operation.

19 (2) The State Board of Workforce Education and Career  
20 Opportunities shall have the authority to reorganize and restructure current  
21 programs and personnel in the institutions covered in this section. Any  
22 savings of appropriated funds effected thereby may be used by the board for  
23 other programs as it deems appropriate.

24 (e) The State Board of Education shall be responsible for the  
25 administration of all funds appropriated by the General Assembly for public  
26 education based on the average daily membership of students enrolled in  
27 vocational education programs in the public schools, and these funds shall be  
28 administered through the Department of Education.

29 (f) All references in the laws of this state to the State Board of  
30 Vocational Education shall be construed to refer to the State Board of  
31 Workforce Education and Career Opportunities.

32  
33 25-30-103. Adult education funds. The State Board of Workforce  
34 Education and Career Opportunities and the State Board of Education shall  
35 remain the sole state agency to administer any and all state and federal adult  
36 education funds. The board shall distribute federal adult education funds to

1 participating institutions under the effective and efficient funding formula  
2 as established by the board.

3  
4 25-30-104. Coordination with State Board of Education and Department of  
5 Education. The State Board of Workforce Education and Career Opportunities  
6 and the State Board of Education shall coordinate their activities to ensure  
7 that academic, workplace, and technical skills create opportunities for a  
8 strong comprehensive education regardless of the student's ultimate career  
9 choice.

10  
11 25-30-105. Coordination with Arkansas Higher Education Coordinating  
12 Board and Department of Higher Education.

13 The State Board of Workforce Education and Career Opportunities and the  
14 Arkansas Higher Education Coordinating Board shall coordinate their activities  
15 to ensure that secondary and postsecondary career preparation is connected to  
16 create opportunities for a strong comprehensive education regardless of the  
17 student's ultimate career choice. In addition, the two boards shall  
18 participate in a collaborative planning process annually for the distribution  
19 of federal funds for workforce education activities, including vocational and  
20 technical education. Such distribution shall be pursuant to written agreement  
21 between the two boards.

22  
23  
24 25-30-106. Department of Workforce Education.

25 (a) There is hereby created the Department of Workforce Education,  
26 hereinafter referred to as 'the department'.

27 (b) The Vocational and Technical Education Division of the Department  
28 of Education created by § 25-6-101, the Governor's Commission on Adult  
29 Literacy created by § 6-44-201, and the Advisory Council for Vocational-  
30 Technical Education created by § 6-50-601 are abolished and transferred to the  
31 Department of Workforce Education by a type 3 transfer under § 25-2-106.

32 (c) The Arkansas Rehabilitation Services as an agency responsible to  
33 the State Board of Workforce Education and Career Opportunities and as a part  
34 of the Department of Workforce Education shall function as an agency in  
35 accordance with Title 6 Chapter 52 Subchapter 1 and Title 25 Chapter 30  
36 Subchapter 2. This subchapter shall assure that the Arkansas Rehabilitation

1 Services functions organizationally at a level at least equal to that of any  
2 division or entity of the Department of Workforce Education.

3 (d) The board shall appoint a director of the department who shall:

4 (1) Be a member of the Governor's cabinet;

5 (2) Be confirmed by the Governor; and

6 (3) Serve at the pleasure of the Governor.

7 (e) The director shall devote all of his time to the duties of his  
8 office, shall act as agent of the board, and perform such other duties as are  
9 designated by the board or by statute.

10 (f) The director shall serve as the ex officio secretary of the board  
11 without vote.

12 (g) The person selected as Director of the Department of Workforce  
13 Education must be a person of good moral character, recognized as a leader in  
14 the field of vocational or workforce education, qualified technically and by  
15 experience to direct the work of the department.

16 (h) No person who is related within the fourth degree of consanguinity  
17 or affinity to any member of the board shall be eligible to serve as director  
18 of the department.

19  
20 25-30-107. Powers and duties of the department.

21 (a) The Department of Workforce Education shall, on April 24, 1997,  
22 become vested with, and succeed to, all the rights, titles, powers, interest,  
23 obligations, duties, and responsibilities of the Vocational and Technical  
24 Education Division of the Department of Education.

25 (b) All personnel of the department shall be employed by and serve at  
26 the pleasure of the director; provided, nothing in this section shall be so  
27 construed as to reduce any rights or benefits of employees, including  
28 retirement benefits, that they had when employed by the Vocational and  
29 Technical Division of the Department of Education.

30 (c) The authority and responsibility of the State Board of Workforce  
31 Education and Career Opportunities and the Department of Workforce Education  
32 shall include general control and supervision of all programs of vocational,  
33 technical, and occupational education in secondary institutions. This  
34 authority shall apply to programs in:

35 (1) State technical institutes;

36 (2) State postsecondary vocational schools;



1 (3) State area vocational high school centers;

2 (4) State public schools; and

3 (5) Any other public educational facility or institution now in  
4 existence or hereafter established in the state with the exception of  
5 technical colleges, community colleges, universities, and colleges.

6 (d) All references in the laws of this state to the Vocational and  
7 Technical Education Division of the Department of Education shall be construed  
8 to refer to the Department of Workforce Education.

9  
10 25-30-108. Authority of Director of the Department of Workforce  
11 Education to enter into contracts.

12 The Director of the Department of Workforce Education is authorized to  
13 enter into contracts with private organizations licensed by the State Board of  
14 Education or the State Board of Workforce Education and Career Opportunities  
15 in order to provide vocational-technical training to needy citizens of the  
16 State of Arkansas.

17  
18 25-30-109. Transfer of powers to Economic Development Commission and  
19 Department of Economic Development.

20 All powers, functions, and duties heretofore vested in and exercised by  
21 the Department of Workforce Education with respect to the Arkansas Industry  
22 Training Program are hereby transferred to and shall hereafter be vested in  
23 the Arkansas Economic Development Commission and the Department of Economic  
24 Development.

25  
26 Subchapter 2.

27 Division of Rehabilitation Services.

28  
29 25-30-201. Arkansas Rehabilitation Services.

30 (a) The policy and scope of the Arkansas Rehabilitation Services shall  
31 be to provide increased employment of individuals with disabilities through  
32 the provision of individualized training, independent living services,  
33 educational and support services, and meaningful opportunities for employment  
34 in integrated work settings to maximize employment, economic self-sufficiency,  
35 independence, and inclusion and integration into society.

36 (b) Pursuant to such policy, rehabilitation services shall be provided

1 to citizens throughout the state, and the rehabilitation plan adopted pursuant  
2 to this subchapter shall be in effect in all political subdivisions of the  
3 state.

4  
5 25-30-202. Scope of authority.

6 (a) All authorities and responsibilities defined in Title 20 Chapter 79  
7 Subchapter 2 of the Arkansas Code shall be administered by the Arkansas  
8 Rehabilitation Services under the direction of the State Board of Workforce  
9 Education and Career Opportunities, except those transferred to the Division  
10 of State Services for the Blind of the Department of Human Services by Title  
11 25 Chapter 10 Subchapter 2 of the Arkansas Code.

12 (b) Any and all statutory authority, powers, duties, functions,  
13 records, authorized positions, property, unexpended balances of  
14 appropriations, allocations, or other funds transferred from the Division of  
15 Rehabilitation Services to the Department of Human Services by Acts 1985, No.  
16 348, are hereby transferred to the Arkansas Rehabilitation Services of the  
17 Department of Workforce Education.

18  
19 25-30-203. Powers and duties.

20 (a) The State Board of Workforce Education and Career Opportunities,  
21 through the Arkansas Rehabilitation Services, shall provide the rehabilitation  
22 services authorized by this subchapter to eligible physically or mentally  
23 disabled individuals and those who can benefit from vocational rehabilitation  
24 and independent living services, determined by the agency to be eligible  
25 therefor.

26 (b) In carrying out the purposes of this subchapter, the Arkansas  
27 Rehabilitation Services is authorized, among other things:

28 (1) To be the sole state agency to supervise and administer the  
29 rehabilitation services authorized by this subchapter except such part or  
30 parts as may be administered by a local agency in a political subdivision of  
31 the state, in which case the service shall be the sole agency to supervise  
32 such local agency in the administration of such part or parts; and

33 (2) To conduct research and compile statistics relative to the  
34 provision of services or the need of services of disabled individuals.

35  
36 25-30-204. Eligibility for retirement systems.

1 All employees of the Arkansas Rehabilitation Services as of July 1,  
2 1993, shall be eligible for membership in the Arkansas Public Employees'  
3 Retirement System, Arkansas Teacher Retirement System, or alternate retirement  
4 systems.

5  
6 25-30-205. Office facilities.

7 The Arkansas State Building Services shall ensure that all offices of  
8 the Arkansas Rehabilitation Services of the Department of Workforce Education  
9 are exemplary models of accessibility and conform to the Americans with  
10 Disabilities Act accessibility guidelines."

11  
12 SECTION 59. All provisions of this act of a general and permanent  
13 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
14 Code Revision Commission shall incorporate the same in the Code.

15  
16 SECTION 60. If any provision of this act or the application thereof to  
17 any person or circumstance is held invalid, such invalidity shall not affect  
18 other provisions or applications of the act which can be given effect without  
19 the invalid provision or application, and to this end the provisions of this  
20 act are declared to be severable.

21  
22 SECTION 61. All laws and parts of laws in conflict with this act are  
23 hereby repealed.

24 /s/ Mahony

25  
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27 APPROVED: 4/12/1999  
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