

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

A Bill

Act 148 of 1999
HOUSE BILL 1276

5 By: Representatives Bond, Bennett
6
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 6-16-402 AND TO REPEAL
10 ARKANSAS CODE 6-16-403 THROUGH 6-16-408 AND 6-13-1024
11 SO THAT ALL EDUCATIONAL TECHNOLOGY FUNCTIONS ARE
12 CONSOLIDATED IN THE DEPARTMENT OF EDUCATION; AND FOR
13 OTHER PURPOSES. "
14

Subtitle

15 "TO AMEND ARKANSAS CODE 6-16-402 AND TO
16 REPEAL 6-16-403 THROUGH 6-16-408 AND 6-
17 13-1024 SO THAT ALL EDUCATIONAL
18 TECHNOLOGY FUNCTIONS ARE CONSOLIDATED IN
19 THE DEPARTMENT OF EDUCATION. "
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code 6-16-402 is amended to read as follows:

26 "6-16-402. Commission on Improving Public Schools' Basic Skills
27 Opportunities Through Technology - Creation.

28 (a) As a means of obtaining advice and providing assistance to ~~the~~
29 ~~State Board of Education, to the Department of Education, and to the public~~
30 ~~schools of this state in the development of computer technology in the~~
31 ~~instructional process in the public schools of this state, there is~~
32 ~~established a~~ the State Board of Education is designated as the successor of
33 the 'Commission on Improving Public Schools' Basic Skills Opportunities
34 Through Technology'.

35 (b) The timing of the process required to complete the transition of
36 the functions of the Commission on Improving Public Schools' Basic Skills

1 Opportunities Through Technology to the State Board of Education shall be at
 2 the discretion of the State Board of Education.

3 (c) In conjunction with the transition of the Commission on Improving
 4 Public Schools Basic Skills Opportunities Through Technology to the State
 5 Board of Education, the Department of Education shall become the successor to
 6 the Instructional Microcomputer Project for Arkansas Schools."

7
 8 SECTION 2. Arkansas Code 6-16-403 through 6-16-408 are repealed.

9 ~~6-16-403. Commission - Members.~~

10 ~~(a) The commission shall consist of seven (7) voting members to be~~
 11 ~~appointed for terms of five (5) years and two (2) nonvoting members as~~
 12 ~~follows:~~

13 ~~(1) The seven (7) voting members of the commission shall consist~~
 14 ~~of:~~

15 ~~(A) The Director of General Education, who shall be an ex~~
 16 ~~officio member of the commission and shall serve as chairman;~~

17 ~~(B) The Director of the Vocational and Technical Education~~
 18 ~~Division of the Department of Education, who shall be an ex-officio member;~~
 19 ~~and~~

20 ~~(C) Five (5) additional voting members of the commission to~~
 21 ~~be appointed by the Governor, subject to confirmation of the Senate; and~~

22 ~~(2)(A) Two (2) nonvoting members shall be appointed by the~~
 23 ~~Governor from each General Assembly, one (1) of whom shall be a member of the~~
 24 ~~House of Representatives and one (1) of whom shall be a member of the Senate.~~

25 ~~(B) The legislative nonvoting members of the commission~~
 26 ~~shall be appointed from members of the House of Representatives and the Senate~~
 27 ~~who are members of either the Southern Regional Education Board or are members~~
 28 ~~of the Legislative Advisory Council of the Southern Regional Education Board.~~
 29 ~~The legislative nonvoting members of the commission shall serve in observer~~
 30 ~~and advisory capacities to the commission and shall be privileged to receive~~
 31 ~~notice and attend all meetings of the commission but shall have no vote on any~~
 32 ~~matter considered by the commission. Legislative nonvoting members shall be~~
 33 ~~entitled to reimbursement for expenses and mileage for attending commission~~
 34 ~~meetings, as are authorized in this subchapter to be received by the voting~~
 35 ~~members of the commission.~~

36 ~~(b) In the event of a vacancy on the commission due to death,~~

1 ~~resignation, or other cause, the vacancy shall be filled in the manner~~
2 ~~provided herein for the initial appointments, for the remainder of the~~
3 ~~unexpired portion of the term thereof.~~

4 ~~(c) Members of the commission shall serve without pay, but the seven~~
5 ~~(7) appointed members of the commission may receive expense reimbursement in~~
6 ~~accordance with § 25-16-901 et seq.~~

7 ~~6-16-404. Commission - Meetings.~~

8 ~~The commission shall meet at least once during each calendar quarter and~~
9 ~~at such other times upon call by the chairman or as may be requested, in~~
10 ~~writing, by any two (2) members of the commission.~~

11 ~~6-16-405. Commission - Powers and duties.~~

12 ~~The commission shall have the following powers, functions, and duties:~~

13 ~~(1) Cooperate with and offer leadership, advice, and assistance to the~~
14 ~~State Board of Education, the Department of Education, and the public schools~~
15 ~~of this state with respect to computer technology and the uses by which~~
16 ~~computer technology may aid and assist in the instruction process in teaching~~
17 ~~basic skills in the public schools of this state;~~

18 ~~(2) Encourage private firms, corporations, and individuals to provide~~
19 ~~financial assistance, donations, and in-kind services to be used by the~~
20 ~~commission in behalf of efforts to encourage, design, and implement, to the~~
21 ~~fullest extent, computer technology in the instructional process in basic~~
22 ~~skills in the public schools;~~

23 ~~(3) Receive and accept gifts, grants, and donations from corporations,~~
24 ~~firms, foundations, associations, and individuals for computer-based~~
25 ~~educational projects in the public schools of this state and deposit the funds~~
26 ~~in accounts in one (1) or more financial institutions authorized to do~~
27 ~~business in this state to be administered by the commission in accordance with~~
28 ~~the laws of this state pertaining to the appropriation, administration, and~~
29 ~~expenditure of cash funds; and~~

30 ~~(4) Develop and implement standards and criteria for the evaluation and~~
31 ~~recommendation to the Department of Education of computer-based educational~~
32 ~~projects to be operated by the Department of Education and the public school~~
33 ~~districts of this state and for the allocation of funds and assistance by the~~
34 ~~commission to the department or public schools of this state for use in the~~
35 ~~support and operation of computer-based education projects in the public~~
36 ~~schools.~~

1 ~~6-16-406. Department of Education – Powers and duties.~~

2 ~~(a) The Department of Education shall, after seeking the advice of the~~
3 ~~commission, recommend to the State Board of Education proposed standards,~~
4 ~~criteria, rules, and regulations for providing financial assistance to school~~
5 ~~districts to be used in connection with computer-based education projects in~~
6 ~~the public schools. These rules and regulations shall include forms and~~
7 ~~instructions developed by the Department of Education, upon which school~~
8 ~~districts may make application for financial assistance for computer-based~~
9 ~~education projects. Before approving such standards, criteria, rules, and~~
10 ~~regulations and forms, the State Board of Education shall hold hearings~~
11 ~~thereon, and adopt them in the manner provided by the Arkansas Administrative~~
12 ~~Procedure Act, as amended, § 25-15-201 et seq.~~

13 ~~(b) The Department of Education shall provide leadership and assistance~~
14 ~~to local school districts by training teachers in means of using computer~~
15 ~~technology in the instructional process in teaching and improving of learning~~
16 ~~opportunities in the basic skills in the public schools.~~

17 ~~(c) The Department of Education may acquire, develop, test, evaluate,~~
18 ~~and improve computer software and computer-based instructional materials and,~~
19 ~~after obtaining the assistance and advice of the commission, recommend to~~
20 ~~school districts in this state computer software and instructional materials~~
21 ~~deemed to meet the standards established for computer-based education projects~~
22 ~~required to receive funds or to obtain matching funds to be made available by~~
23 ~~the department or by the commission to assist in defraying the cost of~~
24 ~~computer-based education projects in the public schools.~~

25 ~~(d) The Department of Education may hold seminars and training sessions~~
26 ~~and offer technical advice and assistance to its own staff and school~~
27 ~~districts as may be deemed necessary in support and improvement of computer-~~
28 ~~based educational projects in the public schools of this state.~~

29 ~~6-16-407. Applications for computer-based educational projects.~~

30 ~~(a) The Department of Education shall, in accordance with the~~
31 ~~standards, rules, regulations, and forms promulgated and approved by the State~~
32 ~~Board of Education, receive applications from school districts in this state~~
33 ~~for computer-based educational projects. Upon receipt of such applications,~~
34 ~~the Department of Education shall submit them to the commission for its~~
35 ~~evaluation and recommendations.~~

36 ~~(b) The commission shall review all applications for computer-based~~

1 educational projects received by the Department of Education and filed with
2 the commission for its review, and after making such study, evaluation, and
3 investigation in connection therewith as the commission deems appropriate, it
4 shall, in writing, submit its evaluations, findings, and recommendations in
5 regard thereto to the Department of Education. In addition, the commission
6 shall notify the Department of Education of the amount of the funds or other
7 assistance which will be provided in support of any such project.

8 (c) After receiving the advice and recommendations of the commission,
9 the Department of Education shall review each application for financial
10 assistance for computer-based educational projects received from school
11 districts and shall notify the school district in writing of its approval or
12 rejection of such application, provided that the department may return the
13 application to the school district and request that additional information or
14 supporting data be filed with the department before final action is taken on
15 the application. If the application is approved for state assistance, the
16 department shall notify the school district of the extent to which the
17 department or the commission will provide financial assistance to the project.

18 (d) If the Department of Education shall determine that the amount of
19 funds available during any fiscal year for providing financial support of
20 computer-based educational projects and support programs will not be adequate
21 to fund all such projects for which applications are filed by school districts
22 for state assistance, the department shall review all such applications and
23 shall approve those projects which the department believes to be in the best
24 interest of the needs of applying school districts that have the capability of
25 producing maximum educational results within the limitations of the funds
26 available. In arriving at such decision, the Department of Education shall
27 seek the advice and evaluation of the commission with respect to applications
28 for computer-based educational projects.

29 (e) The commission may delegate to the Director of General Education,
30 the Director of Vocational and Technical Education, or any designated official
31 or employee of the department, the authority to review applications for
32 computer-based educational projects and to approve them in behalf of the
33 commission as being eligible for funds to be made available by the commission,
34 in accordance with the appropriate rules and regulations promulgated by the
35 commission.

36 6-16-408. Monitoring projects.

1 ~~(a) The commission and the Department of Education shall, from time to~~
 2 ~~time, monitor the accomplishments and achievements of each computer-based~~
 3 ~~instructional project being operated in the public schools through financial~~
 4 ~~assistance provided by the department or the commission and may make~~
 5 ~~recommendations to the project.~~

6 ~~(b) The commission may recommend to the Department of Education the~~
 7 ~~termination and withdrawal of financial support to any computer-based~~
 8 ~~instructional project or may withdraw any financial or in-kind support that~~
 9 ~~the commission is making to such project, if the commission determines that~~
 10 ~~the project is not being operated in accordance with the criteria, standards,~~
 11 ~~rules, and regulations promulgated by the State Board of Education and by the~~
 12 ~~commission.~~

13
 14 SECTION 3. Arkansas Code 6-13-1024 is repealed.

15 ~~6-13-1024. Cooperative Education Services Coordinating Council.~~

16 ~~There is hereby created a council, to be known as the Cooperative~~
 17 ~~Education Services Coordinating Council. The Cooperative Education Services~~
 18 ~~Coordinating Council shall not be considered a state agency, board or~~
 19 ~~commission. Members of the council shall consist of the directors of the~~
 20 ~~various education service cooperatives. Members of the council shall not be~~
 21 ~~entitled to compensation or reimbursement for mileage or other per diem~~
 22 ~~expenses incurred in performance of their duties from moneys specifically~~
 23 ~~appropriated by law to the Cooperative Education Services Coordinating~~
 24 ~~Council. The membership of the council shall elect by a majority vote, a~~
 25 ~~chairman, vice chairman and secretary/treasurer and shall adopt by a majority~~
 26 ~~vote of the membership any and all necessary rules and regulations regarding~~
 27 ~~the duties, responsibilities, and operations of the council.~~

28 ~~The primary responsibilities of the council are to act as a coordinating~~
 29 ~~body for the development and implementation of programs and activities for the~~
 30 ~~benefit of the education service cooperatives statewide and as such shall be~~
 31 ~~eligible to receive stipend funds from state and federal governments, school~~
 32 ~~districts and other public or private sources. Council duties and~~
 33 ~~responsibilities may include coordinating the purchase of commonly needed~~
 34 ~~supplies, materials and equipment in order to reduce the cost of such items to~~
 35 ~~the individual cooperatives. In addition, the council shall assist in the~~
 36 ~~development and implementation of establishing a distance learning classroom~~

~~in each of the educational cooperatives and including the one to be located in Pulaski County.~~

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: 2/18/1999

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