

**Stricken language would be deleted from and underlined language would be added to the law as it existed
prior to this session of the General Assembly.
Act 1580 of the Regular Session**

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

SENATE BILL 899

5 By: Senator Broadway
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For An Act To Be Entitled

9 AN ACT AUTHORIZING THE DIVISION OF PUBLIC SCHOOL
10 ACADEMIC FACILITIES AND TRANSPORTATION TO REVIEW
11 STATUTES, RULES, AND REGULATIONS FOR ENERGY-
12 RELATED CONTENT; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO AUTHORIZE THE DIVISION OF PUBLIC
15 SCHOOL ACADEMIC FACILITIES AND
16 TRANSPORTATION TO REVIEW STATUTES,
17 RULES, AND REGULATIONS FOR ENERGY-
18 RELATED CONTENT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 6-21-112 is amended to read as follows:

25 6-21-112. Division of Public School Academic Facilities and
26 Transportation.

27 (a) In order to ensure that substantially equal access to adequate
28 educational facilities and educational equipment is provided for all public
29 school students in Arkansas, the General Assembly finds that a division of
30 public school academic facilities and transportation should be established
31 under the direct supervision of the Arkansas Commission for Public School
32 Academic Facilities and Transportation.

33 (b) There is created the Division of Public School Academic Facilities
34 and Transportation, which shall operate under the supervision of the
35 commission.



1 (c)(1) The commission shall select an individual to serve as the
2 Director of the Division of Public School Academic Facilities and
3 Transportation. The Director of the Division of Public School Academic
4 Facilities and Transportation shall serve at the pleasure of the commission.

5 (2) The person selected as the Director of the Division of
6 Public School Academic Facilities and Transportation shall:

7 (A) Be a person of good moral character and qualified
8 technically and by experience to direct the work of the division;

9 (B) Have significant knowledge and experience in
10 construction; and

11 (C) Have ten (10) years' experience in an administrative,
12 supervisory, or management position.

13 (3) No person who is related within the fourth degree of
14 consanguinity or affinity to any member of the commission shall be eligible
15 to serve as the Director of the Division of Public School Academic Facilities
16 and Transportation.

17 (d) The Director of the Division of Public School Academic Facilities
18 and Transportation, with guidance and approval from the commission, shall be
19 responsible for hiring all employees of the division.

20 (e)(1) The Executive Chief Information Officer shall assign one (1)
21 individual from the staff of the Office of Information Technology to serve as
22 a technology liaison to the division.

23 (2) The Director of the Arkansas Building Authority shall assign
24 one (1) individual from the staff of the Arkansas Building Authority to serve
25 as a physical plant liaison to the division.

26 (f) The division shall:

27 (1) Provide information or assistance to the Academic Facilities
28 Oversight Committee as requested;

29 (2) Use any recommendation or assessments of the oversight
30 committee or the General Assembly as a basis for establishing the policies
31 and procedures of the division;

32 (3) Develop and implement the Arkansas Public School Academic
33 Facilities Program Act as established in § 6-21-801 et seq.;

34 (4) Administer the various programs of state financial
35 participation in support of local academic facilities;

36 (5) Develop and implement an ongoing uniform process for

1 collecting, inventorying, and updating information on the state of condition
 2 of all public school academic facilities in the state;

3 (6) Develop a facility cost index that provides a methodology
 4 for comparing the cost of repairing the condition of a public school academic
 5 facility to the cost of replacing the public school academic facility with a
 6 facility containing the same amount of square footage;

7 (7) Conduct unannounced random on-site inspections of public
 8 school academic facilities;

9 (8) Develop minimum standards for accessibility to public school
 10 academic facilities and programs for individuals with disabilities;

11 (9) Develop guidelines for competitive bidding, competitive
 12 negotiation, and other methods of procurement for public school academic
 13 facilities projects;

14 (10) Develop incentive programs to reward school districts for
 15 innovative, effective, and efficient use of local and state resources with
 16 regard to public school academic facilities;

17 (11) Review applicable statutes, rules, and regulations for
 18 conflicts with or omission of energy-related content;

19 ~~(11)~~(12) Administer the school transportation program in the
 20 various school districts of Arkansas, including, without limitation, the
 21 training of school bus drivers and inspection of buses or other vehicles used
 22 in transporting public school students;

23 ~~(12)~~(13) Keep records showing a description of each school
 24 district in the state, a map showing the school districts with current and
 25 accurate boundaries, the location of the academic facilities, and the
 26 electoral zones, if any, into which each school district has been divided;

27 ~~(13)~~(14) Report by October 1 of each year to the Governor, the
 28 House Committee on Education, the Senate Committee on Education, and the
 29 Academic Facilities Oversight Committee on the state of condition of academic
 30 facilities statewide using the following building and design systems:

31 (A)(i) Site land and all improvements to the site, such as
 32 grading, drainage, drives, parking areas, walks, landscaping, and
 33 playgrounds.

34 (ii) Site improvements shall not include permanent
 35 or temporary buildings;

36 (B) Roofing;

- 1 (C) Exterior;
 2 (D) Structure;
 3 (E) Interior;
 4 (F) Heating, ventilation, and air conditioning;
 5 (G) Plumbing and water supply;
 6 (H) Electrical;
 7 (I) Technology;
 8 (J) Fire and safety;
 9 (K) Specialty items, including equipment and furnishings;

10 and

- 11 (L) Space utilization;
 12 ~~(14)~~(15) Report by October 1 of each even-numbered year to the
 13 Governor, the House Committee on Education, the Senate Committee on
 14 Education, and the Academic Facilities Oversight Committee on the state
 15 academic facilities master plan; and
 16 ~~(15)~~(16) Maintain a public access website dedicated to public
 17 school academic facilities.

18 (g) The division may:

19 (1) Contract with, retain the services of, or designate and fix
 20 the compensation of consultants, advisors, architects, engineers, and other
 21 independent contractors as may be necessary or desirable to carry out the
 22 Arkansas Public School Academic Facilities Program or any related program
 23 over which the division has authority;

24 (2)(A) Accept all donations, grants of money, equipment,
 25 supplies, materials, and services conditional or otherwise from private
 26 sources, from municipal and county governments, from the state, and from the
 27 federal government.

28 (B) The division may use any of its resources to further
 29 the division's purposes and functions; and

30 (3) Make and enter into all contracts, commitments, and
 31 agreements and execute all instruments necessary or incidental to the
 32 performance of its duties and powers under this section, the Arkansas Public
 33 School Academic Facilities Program, or any other related program over which
 34 the division has authority.

35 (h) The Department of Education shall coordinate and share certain
 36 administrative, custodial, legal, internal finance, and other necessary

1 personnel and responsibilities to effectuate the daily operations of the
2 division and the department.

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APPROVED: 4/9/2007