

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

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

A Bill

SENATE BILL 899

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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.

36 (c)(1) The commission shall select an individual to serve as the



1 Director of the Division of Public School Academic Facilities and
 2 Transportation. The Director of the Division of Public School Academic
 3 Facilities and Transportation shall serve at the pleasure of the commission.

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

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

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

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

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

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

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

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

25 (f) The division shall:

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

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

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

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

35 (5) Develop and implement an ongoing uniform process for
 36 collecting, inventorying, and updating information on the state of condition

1 of all public school academic facilities in the state;

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

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

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

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

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

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

18 ~~(11)~~(12) Administer the school transportation program in the
19 various school districts of Arkansas, including, without limitation, the
20 training of school bus drivers and inspection of buses or other vehicles used
21 in transporting public school students;

22 ~~(12)~~(13) Keep records showing a description of each school
23 district in the state, a map showing the school districts with current and
24 accurate boundaries, the location of the academic facilities, and the
25 electoral zones, if any, into which each school district has been divided;

26 ~~(13)~~(14) Report by October 1 of each year to the Governor, the
27 House Committee on Education, the Senate Committee on Education, and the
28 Academic Facilities Oversight Committee on the state of condition of academic
29 facilities statewide using the following building and design systems:

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

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

35 (B) Roofing;

36 (C) Exterior;

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

9 and

- 10 (L) Space utilization;

11 ~~(14)~~(15) Report by October 1 of each even-numbered year to the
 12 Governor, the House Committee on Education, the Senate Committee on
 13 Education, and the Academic Facilities Oversight Committee on the state
 14 academic facilities master plan; and

15 ~~(15)~~(16) Maintain a public access website dedicated to public
 16 school academic facilities.

17 (g) The division may:

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

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

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

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

34 (h) The Department of Education shall coordinate and share certain
 35 administrative, custodial, legal, internal finance, and other necessary
 36 personnel and responsibilities to effectuate the daily operations of the

1 division and the department.

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