

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

SENATE BILL 372

5 By: Senators J. English, D. Sanders, U. Lindsey, E. Williams, B. Pierce
6 By: Representatives Gossage, C. Armstrong, Cozart, C. Douglas, Lampkin, Lowery
7

For An Act To Be Entitled

9 AN ACT TO REMOVE THE DUTY OF THE ARKANSAS HIGHER
10 EDUCATION COORDINATING BOARD TO DETERMINE SERVICE
11 AREAS FOR TWO-YEAR INSTITUTIONS OF HIGHER EDUCATION;
12 TO ELIMINATE SERVICE AREAS FOR TWO-YEAR COLLEGES AND
13 TECHNICAL SCHOOLS; AND FOR OTHER PURPOSES.
14
15

Subtitle

16 TO REMOVE THE DUTY OF THE ARKANSAS HIGHER
17 EDUCATION COORDINATING BOARD TO DETERMINE
18 SERVICE AREAS FOR TWO-YEAR INSTITUTIONS
19 OF HIGHER EDUCATION; TO ELIMINATE SERVICE
20 AREAS FOR TWO-YEAR COLLEGES AND TECHNICAL
21 SCHOOLS.
22
23
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. Arkansas Code § 6-53-103 is amended to read as follows:
28 6-53-103. Definitions.

29 As used in this chapter, unless the context otherwise requires:

30 (1) "Branch campus of the community college" means an
31 institution with facilities located apart from the community college campus
32 but within the community college district;

33 (2)(A) "Capital outlay expense" means those funds devoted to or
34 required for:

- 35 (i) The acquisition and improvement of land;
- 36 (ii) The acquisition, construction, remodeling,



1 alteration, addition, or enlargement of buildings or other structures; and

2 (iii) The initial purchase of library holdings,
3 furniture, apparatuses, and other equipment for a new or expanded facility as
4 defined by the Arkansas Higher Education Coordinating Board.

5 (B) "Capital outlay expense" excludes those expenses used
6 for maintenance and replacement of equipment and furniture;

7 (3) "Community college" means an institution of higher education
8 established or to be established under the provisions of this chapter
9 ~~dedicated primarily to the educational needs of the service area and~~ offering
10 a comprehensive program, including, but without limitation, vocational,
11 trade, and technical specialty courses and programs, college transfer
12 courses, and courses in general adult education;

13 ~~(4) "Department" means the Department of Higher Education;~~

14 ~~(5)~~ (4) "District" means the geographic area located within one (1)
15 or more counties or cities or any described combination thereof or any
16 described area ~~which~~ that may be in one (1) or more counties or parts of
17 counties but within the ~~same service area which~~ boundary that is directly
18 responsible for the local financial support and local administration of an
19 institution ~~located within its service area;~~

20 ~~(6)~~(5) "Existing community college" means a community college
21 established in accordance with the provisions of and presently operating in
22 conformity with Arkansas Constitution, Amendment 52, and §§ 6-61-101 – 6-61-
23 103, 6-61-201 – 6-61-209, 6-61-212 – 6-61-216, 6-61-301 – 6-61-305, 6-61-401,
24 6-61-402, 6-61-501 – 6-61-524, and 6-61-601 – 6-61-603;

25 ~~(7)~~(6) "Local board" means the governing body of a technical
26 college or community college;

27 ~~(8)~~(A)(7)(A) "Operating expense" means those educational and
28 general funds devoted to or required for the regular or ordinary expense of
29 the college, including administrative, maintenance, and salary expenses but
30 excluding capital outlay expenses, student activity expenses, and expenses
31 for intercollegiate athletics.

32 (B) "Operating expense" includes maintenance and
33 replacement of furniture and equipment, including motor vehicles;

34 ~~(9)~~(8) "Satellite campus" means an institution or off-campus
35 facility of a community college ~~located within a service area of a technical~~
36 ~~or community college but~~ not located within a community college district;

1 ~~service-area~~ district of the technical college and knowledgeable in business,
 2 labor, industry, or economic development.

3
 4 SECTION 5. Arkansas Code §§ 6-53-304 – 6-53-306 are amended to read as
 5 follows:

6 6-53-304. Student tuition – Fees.

7 (a) The intent of this chapter is to make technical and community
 8 college programs available to as many citizens of Arkansas as possible. To
 9 this end, tuition and fees should be maintained at a reasonable level so as
 10 not to exclude citizens because of cost.

11 (b) The local board shall determine the minimum student tuition and
 12 fees to be charged by institutions within the system.

13 (c) The local board shall set both in-district and out-of-district
 14 student tuition and fees for each institution within its ~~service-area~~
 15 district. Students residing outside a community college district may be
 16 subject to extra tuition and fees.

17
 18 6-53-305. Transportation.

19 A technical or community college may establish and operate a
 20 transportation system for students within the ~~service-area~~ district of the
 21 institution ~~assigned by the Arkansas Higher Education Coordinating Board.~~

22
 23 6-53-306. Coordination with secondary vocational-technical education
 24 and literacy programs.

25 Upon the approval of the Arkansas Higher Education Coordinating Board,
 26 the local board may contract with the Department of Career Education, a
 27 nonprofit organization, or a local school district board of directors ~~within~~
 28 ~~its service-area~~ to offer secondary-level vocational and technical courses
 29 and programs, adult literacy courses, and industry training.

30
 31 SECTION 6. Arkansas Code § 6-53-402(b)-(e), concerning two-year
 32 branches, is amended to read as follows:

33 (b) Upon approval by the board and the Higher Learning Commission ~~and~~
 34 ~~upon assignment of a service-area for the institution~~, the two-year branch
 35 campus shall be known as a technical college.

36 (c) All records, personnel, property, unexpended balances of

1 appropriations, allocations, or other funds of the two-year branch campus
 2 shall be transferred to the board until a local board is appointed.

3 (d) Upon the appointment of a local board, all records, personnel,
 4 property, unexpended balances of appropriations, allocations, or other funds
 5 of the technical college shall be transferred to the local board.

6 (e) The local board shall be responsible for the administration and
 7 operation of the technical college and such other state-supported
 8 institutions within the system ~~located in the service area designated by the~~
 9 ~~state board~~ as necessary to adequately meet the two-year postsecondary
 10 educational needs of ~~those citizens located within the service area assigned~~
 11 ~~to the technical college.~~

12
 13 SECTION 7. Arkansas Code § 6-53-403(b), concerning technical colleges
 14 and two-year branches, is amended to read as follows:

15 (b) Prior to the election, the Arkansas Higher Education Coordinating
 16 Board shall assist any group of citizens representing a proposed community
 17 college district ~~within the service area~~ containing the technical college in
 18 determining the feasibility of the proposed district and the adequacy of the
 19 proposed millage levy, if any.

20
 21 SECTION 8. Arkansas Code § 6-53-404(a)-(c), concerning technical
 22 colleges, is amended to read as follows:

23 (a) A board of trustees of a community college may, by resolution or
 24 when requested, petition the Arkansas Higher Education Coordinating Board to
 25 accept a technical college ~~located in the same service area~~ to be a branch
 26 campus of the community college.

27 (b) All records, personnel, property, unexpended balances of
 28 appropriations, allocations, or other funds of above-listed state-supported
 29 institutions ~~within the service area of the community college~~ shall be
 30 transferred to the local board.

31 (c) The local board of the community college ~~shall be~~ is responsible
 32 for the administration and operation of all state-supported postsecondary
 33 vocational-technical institutions ~~located within its service area and~~
 34 consolidated by this chapter.

35
 36