

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Bell

SENATE BILL 45

"AN ACT TO MAKE TECHNICAL AMENDMENTS TO ACT 560 OF 1977 [ARK. STATS. 80-4901 TO 80-4927]; TO MAKE ACT 560 OF 1977 CONSISTENT WITH ACT 64 OF 1981 [ARK. STATS. 5-910 TO 5-910.4] WHICH CREATED THE DIVISION OF VOCATIONAL AND TECHNICAL EDUCATION; TO RETITLE THE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION AS COMMISSIONER OF HIGHER EDUCATION; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (1) of Section 4 of Act 560 of 1977, the same being Arkansas Statutes 80-4904, is hereby amended to read as follows:

"(1) To review all proposed bond issues to be made by any public institution of higher learning and to advise the Board of Trustees of each of the respective institutions as to economic feasibility thereof, as set forth in Act 242 of 1963."

SECTION 2. When Act 416 of 1965 is referred to in Section 5 of Act 560 of 1977, the same being Arkansas Statutes 80-4905, the reference shall hereafter be construed to mean Act 770 of 1983 as amended, the same being Arkansas Statutes 80-4301 to 80-4313.

SECTION 3. Subsection (c) of Section 5 of Act 560 of 1977, the same being Arkansas Statutes 80-4905, is hereby amended to read as follows:

"(c) The State Board of Higher Education shall be empowered to establish the criteria required for certification and to promulgate rules and regulations for the purpose of carrying out the provisions of this Act, and shall be charged with the final responsibility for decisions as required by the Act."

To assist the Board in this responsibility, the Board shall appoint an Advisory Committee, which shall include two non-public postsecondary education institution chief administrators, two public postsecondary education institution chief administrators, two chief administrators of proprietary schools which are licensed under Act 770 of 1983, the same being Arkansas Statutes 80-4301 to 80-4313, as amended, the Director of the Division of Vocational and Technical Education or his designated representative, and two legal residents of the State, who are not officially affiliated with any postsecondary institution in any State as an employee, board member, or in any other capacity. The original nine members shall serve staggered terms of from one (1) to nine (9) years with the term of one member to expire annually. The original members shall, by lot, determine their respective terms. As the terms of the original nine members expire, the Board shall reappoint the member or appoint his successor to a nine (9) year term. Members shall serve without compensation but may be reimbursed for normal expenses associated with the work of the committee at rates as established by State law."

SECTION 4. Section 9 of Act 560 of 1977, the same being Arkansas Statutes 80-4909, is hereby amended to read as follows:

"Section 9. State Community College Board - Duties. The State Board of Higher Education is hereby authorized to, and shall, act as the statewide coordinating board for the Community Colleges established in conformity with this Act. The State Community College Board shall have the following duties and powers:

(a) It shall function as the coordinating agency between the Community Colleges, the public schools, Universities and State Colleges, and other educational institutions in Arkansas. In relation to the senior institutions of the State it shall work with them and the Community Colleges to develop the criteria for transfer of credits of students entering senior institutions from Community Colleges.

(b) It shall set forth the criteria in conformity with, but not limited to the provisions of the Act for the establishment of Community College Districts. In addition to the specific requirements set forth in this Act, the criteria shall provide for size and location of sites for the proposed Community College, nature and extent of the program, size and type of buildings required.

(c) It shall develop objective criteria for the determination of the requirements in Section 13 of this Act.

(d) It shall upon request of a citizens group develop a tentative budget to determine the annual cost of the operation.

(e) It shall act in an advisory capacity concerning changes and expansion of the overall program for Community Colleges and the program for each Community College.

(f) It shall establish the required minimum qualifications for the President of a Community College.

(g) It shall develop a uniform budget format and accounting and reporting procedures to be used by all Community Colleges.

(h) It shall, with the Joint Legislative Auditing Committee, determine that State funds are used in conformity with the grants of such funds."

SECTION 5. Section 17 of Act 560 of 1977, the same being Arkansas Statutes 80-4917, is hereby amended to read as follows:

"Section 17. Agreements with agencies of state, federal government and political subdivisions authorized. In furtherance of the purposes of this Act and in addition to the powers and duties vested in the State Community College Board, said Board shall have authority to make agreements with agencies of this State, the federal government, political subdivisions of this State, and their institutions and agencies, not inconsistent with the Constitution and laws of the State of Arkansas, where such agreements are to the advantage of the State of Arkansas in the furtherance of the State Community College program as authorized by law."

SECTION 6. Section 19 of Act 560 of 1977, the same being Arkansas Statutes 80-4919, is hereby amended to read as follows:

"Section 19. A staff member of the Department of Higher Education shall be designated as the community college liaison."

SECTION 7. Section 20 of Act 560 of 1977, the same being Arkansas Statutes 80-4920, is hereby amended to read as follows:

"Section 20. The Department of Higher Education, in accordance with policy established by the State Board of Higher Education, shall administer the Arkansas Student Assistance Grant Program established by Act 659 of 1977,

the same being Arkansas Statutes 80-5001 to 80-5008, as amended."

SECTION 8. When the words "Director" and "Director of the Department of Higher Education" occur in Act 560 of 1977, the same being Arkansas Statutes 80-4901 to 80-4927, Act 38 of 1971, the same being Arkansas Statutes 5-909, and elsewhere in legislation, they shall hereafter be construed to mean "Commissioner" and "Commissioner of Higher Education" as appropriate. It is the intent of this legislation that the existing title of the Director of the Department of Higher Education be changed to Commissioner of Higher Education.

SECTION 9. Section 26 of Act 560 of 1977, the same being Arkansas Statutes 80-4926, and all laws and parts of laws in conflict with this Act are hereby repealed.

