

1 **State of Arkansas**

2 **78th General Assembly**

3 **Regular Session, 1991**

A Bill

HOUSE BILL 1585

4 **By: Representatives J. Miller, Mahony, Stewart, Maddox, McCuiston, Turner, Hendrix, S.**
5 **Miller, Newman, Mitchum, M. Wilson, Thicksten, Gilbert, Barclay, McGinnis, Tullis, Baker,**
6 **Beatty, Blair, Hawkins, Goodwin, D. Roberts, Jones, Jordan, Gibson, Allen, Dietz, McGee,**
7 **Davis, K. Wood, Roric and Henry**

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9

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For An Act To Be Entitled

11

"AN ACT TO ESTABLISH A SYSTEM TO MEET THE TWO-YEAR

12

POSTSECONDARY EDUCATIONAL NEEDS OF THIS STATE; TO CREATE

13

THE ARKANSAS TECHNICAL AND COMMUNITY COLLEGE SYSTEM; TO

14

AMEND TITLE 6, CHAPTER 61, SUBCHAPTER 2 OF THE ARKANSAS

15

CODE OF 1987 TO EXPAND THE STATE BOARD OF HIGHER

16

EDUCATION; TO AMEND TITLE 25, CHAPTER 6, SUBCHAPTER 1 OF

17

THE ARKANSAS CODE OF 1987 TO TRANSFER ALL RESPONSIBILITY

18

FOR TECHNICAL AND COMMUNITY COLLEGES TO THE STATE BOARD OF

19

HIGHER EDUCATION; TO MERGE CERTAIN INSTITUTIONS TO MORE

20

EFFECTIVELY MEET THE EDUCATIONAL NEEDS OF THE CITIZENS OF

21

THIS STATE; TO PROVIDE AN IMPROVED DELIVERY SYSTEM OF

22

ADULT EDUCATION; AND FOR OTHER PURPOSES."

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24

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

26

27 SECTION 1. TITLE. This act shall be known as and may be cited as the

28 "Two-Year Postsecondary Education Reorganization Act of 1991."

29

30 SECTION 2. PURPOSE. The purpose of this act is to serve as a

31 legislative charter under the authority granted by Arkansas Constitution,

32 Amendment 52, for the establishment, organization and administration of a

33 system of educational institutions throughout the state offering courses of

34 instruction in technical, vocational and adult education programs, industry

35 training and two-year college transfer programs. The system established under

1 this act shall provide educational programs which are easily accessible by all
2 segments of the population to benefit from training, retraining or upgrade
3 training for employment and which is highly responsive to individuals needing
4 to achieve basic, general and specialized education to meet the needs of the
5 workplace. The system shall be served by a seven-member panel of the State
6 Board of Higher Education to be known as the "College Panel," which shall act
7 as a coordinating body under the auspices of the State Board of Higher
8 Education to assure the orderly and effective development of the publicly
9 supported institutions within the system.

10

11 SECTION 3. DEFINITIONS. As used in this act, unless the context
12 otherwise requires:

13 (1) "Branch campus of a community college" means an institution with
14 facilities located apart from the community college campus but within the
15 community college district.

16 (2) "Capital outlay expense" means those funds devoted to or required
17 for the acquisition and improvement of land; acquisition, construction,
18 remodeling, alteration, addition or enlargement of buildings or other
19 structures; and the initial purchase of library holdings, furniture, apparatus
20 and other equipment for a new or expanded facility as defined by the state
21 board. Capital outlay expense excludes those expenses used for maintenance
22 and replacement of equipment and furniture.

23 (3) "College Panel" or "panel" means the panel of *seven (7)* members of
24 the State Board of Higher Education *including* the chairman of the State Board
25 of Higher Education *which* shall serve as the primary coordinating body for all
26 two-year institutions within the system.

27 (4) "Community college" means an institution of higher education
28 established or to be established under the provisions of this act dedicated
29 primarily to the educational needs of the service area offering a
30 comprehensive program including, but without limitation, vocational, trade and
31 technical specialty courses and programs, college transfer courses, and
32 courses in general adult education.

33 (5) "Department" means the State Department of Higher Education.

34 (6) "District" means the geographic area, located within one (1) or
35 more counties or cities, or any described combination thereof, or any
36 described area which may be in one (1) or more counties or parts of counties

1 but within the same service area, directly responsible for the local financial
2 support and local administration of an institution located within its service
3 area.

4 (7) "Existing community college" means a community college established
5 in accordance with the provisions of and presently operating in conformity
6 with Ark. Const. Amend. 52 and Ark. Code Ann. §§6-61-101 - 6-61-103, 6-61-201
7 - 6-61-209, 6-61-211 - 6-61-216, 6-61-301 - 6-61-306, 6-61-401, 6-61-402,
8 6-61-501 - 6-61-524, 6-61-601 - 6-61-612.

9 (8) "Local board" means the governing body of a technical college or
10 community college.

11 (9) "Operating expense" means those educational and general funds
12 devoted to or required for the regular or ordinary expense of the college,
13 including administrative, maintenance and salary expenses, but excluding
14 capital outlay expenses, student activity expenses and expense for
15 intercollegiate athletics. Operating expense includes maintenance and
16 replacement of furniture and equipment, including motor vehicles.

17 (10) "Satellite campus" means an institution located within a service
18 area of a technical or community college but not located within a community
19 college district.

20 (11) "Service area" means the geographic area assigned by the State
21 Board of Higher Education as the area to be served by the institution located
22 within its borders. Each county in the state shall be assigned to at least
23 one (1) service area.

24 (12) "State Board," "board," or "full board" means the State Board of
25 Higher Education comprised of the chairman, the University Panel and the
26 College Panel.

27 (13) "System institution" means a technical college or community
28 college.

29 (14) "Technical college" means an institution of higher education
30 established under this act dedicated primarily to the educational needs of the
31 service area offering a comprehensive program including, but without
32 limitation, vocational, trade and technical specialty courses and programs,
33 courses in general adult education and courses comparable in content and
34 quality to freshman and sophomore courses which may carry transfer credit to a
35 four-year institution in a chosen course of study.

1 (15) "University Panel" means the panel of *seven (7)* members of the
2 State Board of Higher Education *including* the chairman of the State Board of
3 Higher Education *which* shall serve as the primary coordinating body for all
4 four-year institutions within the system.

5

6 SECTION 4. Arkansas Code §6-61-201 is hereby amended to read as
7 follows:

8 "6-61-201. Members - Meetings.

9 (a) (1) The State Board of Higher Education shall consist of thirteen
10 (13) members appointed by the Governor and confirmed by the Senate.

11 (2) No more than three (3) members of the board shall be
12 appointed from any one (1) congressional district, as such districts were
13 established by Acts 1951, No. 297 repealed.

14 (3) No more than three (3) members of the board at any one (1)
15 time may be graduates of any one (1) state university or college with no more
16 than two (2) graduates of the one (1) state university or college serving on a
17 panel, and no members of the board of trustees of any state-supported college
18 or university shall be eligible for membership on the board.

19 (b) The terms of members of the board shall be ten (10) years.

20 (c) The board shall elect from its own number a chairman and such other
21 officers as may be necessary to carry on its business.

22 (d) (1) The board shall meet at least once during each calendar quarter
23 and at such other times upon call of the chairman or any other four (4)
24 members.

25 (2) The board or each panel may, at such times as it desires,
26 meet on the campuses of the respective institutions of higher learning in this
27 state.

28 (e) Members of the board shall serve without compensation but shall be
29 reimbursed for their actual expenses attending meetings of the board and
30 performing their official duties.

31 (f) (1) In order to more effectively serve the institutions under the
32 jurisdiction of the State Board of Higher Education, on July 1, 1991, or as
33 soon thereafter as is practicable, the board comprised of thirteen (13)
34 members shall divide itself into two (2) *seven-member* panels.

35 (2) The chairman of the board shall serve as chairman of each

1 panel.

2 (3) (A) One (1) panel, to be known as the College Panel, shall act
3 as a coordinating body of all two year institutions in the Arkansas Technical
4 and Community College System. The College Panel shall be comprised of board
5 members *knowledgeable in business, labor, industry or economic development.*

6 (B) One (1) panel, to be known as the University Panel,
7 shall act as a coordinating body of all four-year institutions of higher
8 education in this state.

9 (4) Each panel shall have such other responsibilities as may be
10 delegated to the panel by a vote of the entire board.

11 (g) The full board shall serve as the final coordinating body for all
12 two and four-year institutions under its jurisdiction. All final decisions
13 shall require a vote of the full board."

14

15 SECTION 5. Subsection (c) of Arkansas Code §25-6-101 is hereby amended
16 to read as follows:

17 "(c) It is further the purpose and intent of this chapter that the
18 authority and responsibility of the State Board of Vocational Education and
19 the Vocational and Technical Education Division include general control and
20 supervision of all programs of vocational, technical, and occupational
21 education in secondary institutions. This authority shall apply to programs
22 in state vocational schools, area vocational high school centers, public
23 schools, and in any other public education facility or institution now in
24 existence or hereafter established in the state with the exception of
25 technical colleges, community colleges, universities, and colleges."

26

27 SECTION 6. COLLEGE PANEL OF THE STATE BOARD OF HIGHER EDUCATION.

28 (a) The College Panel of the State Board of Higher Education is hereby
29 established to serve all two-year institutions in the State Technical and
30 Community College System.

31 (b) The Director of the General Education Division of the Department of
32 Education, the Director of the Vocational Education Division of the Department
33 of Education and the Director of the Arkansas Industrial Development
34 Commission shall be ex officio, non-voting members of the panel. The Director
35 of the Department of Higher Education shall serve as the ex officio secretary

1 of the panel.

2 (c) The panel in addition to the ex officio members shall consist of
3 seven (7) members of the State Board of Higher Education *including* the
4 chairman of the State Board of Higher Education.

5 (d) The members of the panel shall be knowledgeable in vocational
6 education, *postsecondary* adult education or federal job training *programs* and
7 *some shall be knowledgeable in business, labor, industry or economic*
8 *development interests in the state.*

9

10 SECTION 7. DUTIES AND POWERS OF COLLEGE PANEL AND STATE BOARD.

11 (a) In order to promote a coordinated system of two-year postsecondary
12 education in Arkansas, to provide an effective delivery system for adult
13 education programs and to assure an orderly and effective development of a
14 system of publicly and locally supported institutions, the panel shall have
15 the following powers and duties:

16 (1) To function as a coordinating body between the technical and
17 community colleges in the system and the public schools, universities, state
18 colleges and other educational institutions in Arkansas;

19 (2) To determine service areas containing all counties within the
20 state and recommend adoption of such service areas to the full board who shall
21 designate which system institution within the service area shall be
22 responsible for fulfillment of the two-year postsecondary educational needs of
23 the service area;

24 (3) To establish for the system the required minimum
25 qualifications for the president of a technical or community college;

26 (4) To review, evaluate, and coordinate budget requests for the
27 institutions in the system. The full board shall present to the General
28 Assembly and to the Governor prior to each regular session of the General
29 Assembly a single budget report containing the recommendations for separate
30 appropriations to each of the respective institutions;

31 (A) The recommendations will be consistent with a
32 comprehensive master plan of two-year postsecondary education in Arkansas as
33 developed by the panel and adopted by the board.

34 (B) The recommendations, insofar as possible, will be based
35 upon standard techniques of objective measurement of need and unit cost

1 figures arrived at through comparative data secured from the several
2 institutions.

3 (C) Specific needs of institutions based upon existing
4 programs and deficiencies will be given consideration.

5 (5) To develop, in conjunction with the institutions, the
6 Governor, and the Legislative Council, a single set of budget forms which will
7 be utilized by all parties in making requests and recommendations for the
8 funding of two-year postsecondary institutions in the system. The forms and
9 process will require that the total income and expenditures of each
10 institution must be considered in the request process;

11 (6) To determine, in coordination with the Legislative Joint
12 Auditing Committee, that state funds are used in conformity with the grants of
13 such funds;

14 (7) To determine a minimum level for student tuition and fees to
15 be charged by institutions within the system in regard to the funding formula;

16 (8) To plan, in cooperation with the State Board of Vocational
17 Education, the allocation of federal funds for instructional programs and
18 student services, including funds for vocational and technical education,
19 retraining, adult basic education and general adult education;

20 (9) To recommend to the full board for approval of the General
21 Assembly the location and priorities for establishment or expansion of
22 institutions or abolition of institutions;

23 (10) To develop and recommend to the full board a standardized
24 method of calculating the full time equivalent (FTE) enrollment for use by
25 each two-year postsecondary institution in this state. Such calculation shall
26 provide for the inclusion of students attending off-campus programs offered by
27 the institution.

28 (b) The panel shall develop and maintain short and long-range plans for
29 providing current and appropriate occupational and technical training for
30 adults and may solicit information for its planning activities from the State
31 Board of Education, the University Panel of the State Board of Higher
32 Education, the Employment Security Department, any industry training program
33 of the state, any apprenticeship training program of the state and other state
34 agencies, institutions and departments.

35 (c) The full board, upon the advice of the College Panel, shall have

1 approval or disapproval authority over all future conversions of state-
2 supported postsecondary vocational-technical institutions to technical
3 colleges and all consolidations of postsecondary vocational-technical
4 institutions with community colleges or four-year institutions or their
5 branches which must be authorized by the General Assembly.

6 (d) The panel shall recommend and review proposals for the
7 establishment of curricula and for major changes in curricula of institutions
8 within the system. It shall emphasize flexibility in responding to local
9 business and industry needs.

10 (e) The board shall define the requirements of appropriate degrees and
11 certificates and authorize the award thereof in the institutions within the
12 system. *The State Board of Higher Education shall approve all degree programs*
13 *at the associate degree level or above at any state-supported postsecondary*
14 *institution including those established under A.C.A. §6-51-701 et seq.*

15 (f) The panel shall cooperate with the State Board of Education and the
16 board of directors of any school district to encourage the use and sharing of
17 facilities and staff in the offering of secondary vocational programs,
18 including instruction in agricultural subjects, trades or industrial subjects.

19 (g) The panel is authorized to recommend to the full board for adoption
20 rules and regulations consistent with the provisions of this act and to
21 effectively perform the duties of the panel and board pursuant to this act.

22

23 SECTION 8. SYSTEM NAME. All courses, programs and institutions within
24 the jurisdiction of the College Panel and the State Board of Higher Education
25 shall be identified and administered as the Arkansas Technical and Community
26 College System.

27

28 SECTION 9. OFFICE OF ACCOUNTABILITY. (a) The Office of Accountability
29 of the Department of Higher Education shall have the following duties in
30 regard to the technical and community colleges:

31 (1) To study the effectiveness of the delivery of postsecondary
32 education following the conversions, mergers and consolidations under this
33 act;

34 (2) To assess institutions in the area of student achievement;

35 (3) To measure progress through job placement, job retention and

1 wage rates for students leaving the system;

2 (4) To identify exemplary programs for duplication within the
3 system;

4 (5) To report annually to the director, the board, the Governor
5 and the General Assembly on provisions authorized in this act.

6 (b) The Office of Accountability shall make available to the Joint
7 Interim Oversight Subcommittee on Educational Reform and the Joint Interim
8 Committee on Education of the General Assembly the reports the office submits
9 to the Director.

10 (c) The Advisory Committee on Accountability established in Ark. Code
11 Ann. §6-15-804 as the citizens' advisory committee on accountability in
12 education for this state shall also assist the Office of Accountability in the
13 performance of their duties under this act.

14 (d) The annual report provided under Ark. Code §6-15-809 shall include
15 any findings and recommendations of the Advisory Committee on Accountability
16 concerning two-year postsecondary educational programs in this state.

17 (e) Establishment of the Office of Accountability and implementation of
18 the provisions of this section which directly affect the operation of the
19 Arkansas Department of Higher Education shall be contingent on the
20 appropriation and funding of the staff and operating budget necessary to allow
21 the Department of Higher Education to carry out the duties assigned to the
22 Department in this act. If no specific appropriation and funding to establish
23 the Office of Accountability is enacted during the 78th Regular Session of the
24 General Assembly, it shall be inoperative until such specific appropriation
25 and funding is enacted.

26

27 SECTION 10. COLLEGE TRANSFER PROGRAM APPROVAL. (a) The State Board of
28 Higher Education shall develop a plan to maximize transfer credits of students
29 from institutions within the system, including the development of a core
30 transfer program for students desiring to obtain a baccalaureate degree after
31 transferring from an institution within the two-year system to the four-year
32 system.

33 (b) All program and curricula in the college transfer program shall be
34 subject to the approval or disapproval of the State Board of Higher Education.

35 (c) The board shall develop, with the assistance of institutional

1 advisory committees, policies for transfer students from technical and
2 community colleges to four-year institutions.

3

4 SECTION 11. EQUIPMENT POOL. The department, in coordination with the
5 institutions, shall develop an effective means of pooling surplus equipment
6 for redistribution to other institutions. Such equipment pool arrangement may
7 include the crediting of equipment values to the institution for equipment
8 acquired from a source other than the state.

9

10 SECTION 12. CAPITAL OUTLAYS. (a) Unless exempted under the provisions
11 of A.C.A. §19-4-522, any expenditure of state treasury funds for capital
12 outlay expenses or construction costs as set forth in A.C.A. §19-4-524 of an
13 institution within the system shall be subject to the prior approval of the
14 General Assembly upon the recommendation of the board.

15 (b) Except those funds allocated under the College Savings Bond Act or
16 provided during the 1991-93 biennium, prior to the withdrawal of state funds
17 from the State Treasury for use in approved capital outlays, the board shall
18 obtain and transmit to the *Chief Fiscal Officer of the Department of Finance*
19 *and Administration* a certificate from the chairman of the local board of the
20 technical or community college stating that a minimum of fifty percent (50%)
21 of each project cost has been provided by local funds.

22 (c) No state monies appropriated for general operating expenses of an
23 institution shall be used for capital outlay expenses.

24 (d) Capital outlay expenses shall be paid from gifts, grants, profits
25 from auxiliary enterprises, local millages, other local funds and may be paid
26 from state *funds appropriated for such purposes*.

27

28 SECTION 13. COORDINATION WITH INSTITUTIONAL BOARDS OF TRUSTEES. All
29 future mergers or consolidations of state-supported postsecondary vocational-
30 technical institutions with existing community colleges, branch campuses of
31 four-year institutions or with four-year institutions shall be subject to the
32 approval of the board of trustees of the institution, the State Board of
33 Higher Education and *North Central Association - Commission on Institutions of*
34 *Higher Education*.

35

1 SECTION 14. COORDINATION WITH SECONDARY VOCATIONAL-TECHNICAL EDUCATION
2 AND LITERACY PROGRAMS. Upon the approval of the board, the local board may
3 contract with the Vocational Division of the State Department of Education, a
4 non-profit organization or a local school board within its service area to
5 offer secondary level vocational-technical courses and programs, adult
6 literacy courses, and industry training.

7
8 SECTION 15. CONVERSION PROHIBITED. (a) No state-supported vocational-
9 technical institution in this state *other than those provided for by this act*
10 shall convert to become a technical college if there is an existing community
11 college located within the same county of the vocational-technical
12 institution.

13 (b) *Following passage of this act, the local board of any state-*
14 *supported postsecondary institution and the board of a community college*
15 *located within the same county, may, upon passage of a resolution by each*
16 *board, and with the approval by the state board and the North Central*
17 *Association - Commission on Institutions of Higher Education, merge the state-*
18 *supported postsecondary institution with the community college.*

19
20 SECTION 16. TRANSPORTATION. A technical or community college may
21 establish and operate a transportation system for students within the service
22 area of the institution assigned by the State Board of Higher Education.

23
24 SECTION 17. LOCAL ADMINISTRATION - TECHNICAL COLLEGES. (a) Each
25 technical college established or operated under this act shall be governed by
26 a local board of trustees consisting of seven (7) members who shall be
27 appointed by the Governor and subject to the confirmation of the Senate.

28 (b) The term of office of local board members shall be seven (7) years.
29 The initial board appointees shall determine their terms by lot so that no
30 more than one (1) term shall expire during any year.

31 (c) Members of the local board shall be qualified electors of the
32 service area of the technical college and *knowledgeable in business, labor,*
33 *industry or economic development.*

34 (d) No candidate for public office, holder of public office in the
35 state, certified or non-certified employee of a public school district,

1 classified or non-classified employee of any community college, vocational-
2 technical school or any institution of higher learning nor any member of a
3 board of trustees of a school district, of any community college or
4 institution of higher learning, or his or her spouse, shall serve as a member
5 of the local board.

6 (e) When a vacancy occurs in the membership of the board, the president
7 of the technical college shall so notify the Governor who shall appoint a
8 successor to the person who vacated membership, who will serve the unexpired
9 term of the person succeeded.

10 (f) The powers and duties of the local board shall be as follows:

11 (1) To acquire, hold and transfer real and personal property, to
12 enter into contracts, to institute and defend legal actions and suits, and to
13 exercise such other rights and privileges as may be necessary for the
14 management and administration of the technical college;

15 (2) To appoint from the candidates certified by the state board,
16 the president of the technical college;

17 (3) To appoint, upon nomination of the president, members of the
18 administrative and teaching staffs;

19 (4) To determine, with the approval of the State Board, the
20 educational program of the technical college; and

21 (5) Other powers and duties as provided in this act and as
22 delegated to it by the State Board.

23 (g) The local board shall select a chairman and such other officers as
24 necessary for the performance of its duties.

25 (h) The local board may make rules and regulations not inconsistent
26 with the provisions of this act or inconsistent with the rules and regulations
27 of the State Board as are necessary for the proper administration and
28 operation of the technical college.

29 (i) The local board may contract with the Vocational Division of the
30 State Department of Education, a non-profit organization or a local school
31 board within its service area to offer secondary level general academic and
32 vocational-technical courses and programs, adult literacy courses, or both.

33
34 SECTION 18. INTERIM ACCREDITATION AND GOVERNANCE. (a) The State Board
35 of Higher Education is hereby authorized to act as the legal entity, governing

1 board and receiver of all property for any institution not accredited by North
2 Central Association - Commission on Institutions of Higher Education and
3 seeking merger or consolidation with an existing institution of higher
4 education during the interim period when approval of institutional change from
5 North Central Association - Commission on Institutions of Higher Education is
6 being sought.

7 (b) Upon approval by NCA - CIHE, all records, personnel, property,
8 unexpended balances, and all legal authority shall pass from the State Board
9 of Higher Education to the legal entity governing the newly merged or
10 consolidated institution.

11 (c) The State Board of Higher Education is hereby authorized to provide
12 accreditation for a period of up to six (6) years to any institution governed
13 by the state board.

14 (d) Until such time as the State Board of Higher Education approves
15 associate of applied science degrees for the institutions identified in
16 Section 19(a), no change in the educational mission of those institutions is
17 intended or authorized by this act. Therefore, the State Board of Vocational
18 Education must show cause why accreditation of those institutions should not
19 be continued and, further, must provide twelve (12) month's notice of any
20 action to withdraw its accreditation of those institutions.

21 (e) Any postsecondary vocational-technical school other than those
22 listed in Section 19 and Section 20 which receives approval from the state
23 board and the General Assembly to begin the process of consolidation or merger
24 with an existing institution of higher education shall be governed by the
25 State Board of Higher Education in accordance with the provisions of this
26 section and subsections (f), (h) and (i) of Section 17 pending approval of the
27 merger or consolidation from North Central Association - Commission on
28 Institutions of Higher Education.

29 (f) Should any consolidation plan fail to be approved by North Central
30 Association - Commission on Institutions of Higher Education, the provision of
31 subsection (g) of Section 19 shall apply to the postsecondary vocational-
32 technical school or technical college seeking merger or consolidation with an
33 institution of higher education.

34

35 SECTION 19. (a) Effective July 1, 1991, the board shall designate the

1 following institutions as technical colleges *which shall become part of the*
2 *Arkansas Technical and Community College System under the coordination of the*
3 *State Board of Higher Education:*

- 4 (1) Black River Vocational Technical School, Pocahontas
- 5 (2) Cossatot Vocational Technical School, De Queen
- 6 (3) Gateway Vocational Technical School, Batesville
- 7 (4) Mid-South Vocational Technical School, West Memphis
- 8 (5) Oil Belt Vocational Technical School, El Dorado
- 9 (6) Ozarka Vocational Technical School, Melbourne
- 10 (7) Petit Jean Vocational Technical School, Morrilton
- 11 (8) Pines Vocational Technical School, Pine Bluff
- 12 (9) Pulaski Vocational Technical School, North Little Rock
- 13 (10) Red River Vocational Technical School, Hope
- 14 (11) *Twin Lakes Vocational Technical School, Harrison*

15
16 *None of these institutions shall have the authority to request SBHE*
17 *approval for associate degree programs before July 1, 1993.*

18 (b) These institutions may be expanded to offer courses of instruction
19 in technical, vocational and adult education programs and college transfer
20 programs and may, upon a vote of the electorate, create a community college
21 district and, if necessary, impose a millage to convert to a community
22 college.

23 (c) Until the institution elects to become a community college, the
24 institution shall be known as a technical college.

25 (d) The College Panel shall be responsible for the operation of all
26 technical colleges under this act until such time as a local board is
27 appointed.

28 (e) Upon the appointment of the local board, all records, personnel,
29 property, unexpended balances of appropriations, allocations or other funds of
30 the state-supported postsecondary vocational-technical institution(s) shall be
31 transferred to the local board.

32 (f) The local board shall be responsible for the administration and
33 operation of the institution and shall be further responsible for the
34 provision of services to meet the two-year postsecondary educational needs of
35 those citizens located within the service area of the institution.

1 (g) Any technical college which fails to achieve higher education
2 institutional accreditation from the North Central Association - Commission on
3 Institutions of Higher Education within six (6) years following the date of
4 transfer under (e) above, shall be abolished by the state board. All records,
5 personnel, property, unexpended balances of appropriations, allocations or
6 other funds of the technical college shall be transferred to the State
7 Department of Higher Education.

8
9

10 SECTION 20. (a) A board of trustees of a community college may, by
11 resolution or when requested, petition the State Board of Higher Education to
12 accept a technical college located in the same service area to be a branch
13 campus of the community college.

14

15 (b) All records, personnel, property, unexpended balances of
16 appropriations, allocations or other funds of above listed state-supported
17 institutions within the service area of the community college shall be
18 transferred to the local board.

19 (c) The local board of the community college shall be responsible for
20 the administration and operation of all state-supported postsecondary
21 vocational-technical institutions located within its service area and
22 consolidated by this act.

23 (d) Until such time as territory containing the vocational-technical
24 institution is joined to the community college district, the institution shall
25 be operated as and known as a satellite campus of the community college. In
26 cases where the vocational-technical institution is located within the
27 community college district, upon consolidation, such institution shall be
28 known as a branch campus of the community college, or, if situated in close
29 proximity to an existing community college campus, no name distinction need be
30 made for such institution.

31 (e) No millage tax of the community college district shall be used for
32 capital outlay expense or operating expense of a satellite campus.

33 (f) The procedures for reconstituting districts under Ark. Code Ann.
34 §6-61-518 shall be followed to join additional territory containing the
35 satellite campus to the existing community college district.

1 (g) Following the passage of the question to join territory containing
2 the satellite campus to the existing community college district or to impose
3 an additional millage for the community college district, the institution
4 shall be known as a branch campus of the community college.

5 (h) Any satellite campus of a community college which fails to become a
6 branch campus of the community college or which fails to achieve higher
7 education institutional accreditation from the North Central Association -
8 Commission on Institutions of Higher Education within six (6) years following
9 the date of transfer under (b) above, shall be abolished by the state board.
10 All records, personnel, property, unexpended balances of appropriations,
11 allocations or other funds of the satellite campus shall be transferred to the
12 State Department of Higher Education.

13

14 SECTION 21. TWO-YEAR BRANCHES - CONVERSION TO TECHNICAL COLLEGE.

15 (a) A board of trustees of a four-year institution may, by resolution
16 or when requested, petition the State Board of Higher Education to accept a
17 two-year branch campus to be a technical college under the state board's
18 jurisdiction.

19 (b) Upon approval by the *State Board of Higher Education and the North*
20 *Central Association - Commission on Institutions of Higher Education* and
21 assignment of a service area for the institution, the two-year branch campus
22 shall be known as a technical college.

23 (c) All records, personnel, property, unexpended balances of
24 appropriations, allocations or other funds of the two-year branch campus shall
25 be transferred to the board until a local board is appointed.

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

29 (e) The local board shall be responsible for the administration and
30 operation of the technical college and such other state-supported institutions
31 within the system located in the service area designated by the state board as
32 necessary to adequately meet the two-year postsecondary educational needs of
33 those citizens located within the service area assigned to the technical
34 college.

35 (f) Upon the establishment of the technical college, the two-year

1 branch of the four-year institution shall be abolished.

2 (g) Any technical college established under this section which fails to
3 achieve higher education institutional accreditation from the North Central
4 Association - Commission on Institutions of Higher Education within six (6)
5 years following the date of conversion, shall be abolished by the state board.

6 All records, personnel, property, unexpended balances of appropriations,
7 allocations or other funds of the technical college shall be transferred to
8 the State Department of Higher Education.

9

10 SECTION 22. TECHNICAL COLLEGE/TWO-YEAR BRANCHES - CONVERSION TO

11 COMMUNITY COLLEGE. (a) The procedures for the conversion of the technical
12 college or a two-year branch campus of a four-year institution to a community
13 college shall, except as set forth herein, be the same as those in Title 6,
14 Chapter 61 of the Arkansas Code of 1987, as amended, concerning formation of a
15 community college district and the provisions of this section shall be
16 cumulative to the laws of this state governing the creation and operation of
17 community colleges. Any postsecondary vocational technical school which
18 converted to a technical college under the provisions of this act or any two-
19 year branch campus whose board of trustees petitions the state board under
20 this act shall be exempt from A.C.A. §6-61-509(c) limiting the maximum number
21 of community college districts in this state to eight (8) and may hereafter
22 convert to become a community college with the approval of the State Board of
23 Higher Education.

24 (b) Prior to the election, the panel shall assist any group of citizens
25 representing a proposed community college district within the service area
26 containing the technical college to determine the feasibility of the proposed
27 district and the adequacy of the proposed millage levy, if any.

28 (c) A board of trustees of a four-year institution shall, when
29 requested, petition the state board to authorize an election for a two-year
30 branch campus of the four-year institution to become a community college.

31 (d) If a two-year branch campus of a four-year institution and either a
32 postsecondary vocational-technical institution or a technical college exists
33 in the same county, the question on the ballot for formation of a community
34 college district shall include the establishment of a community college
35 comprised of the two-year branch campus of the four-year institution and the

1 postsecondary vocational-technical institution or technical college.

2 (e)(1) The local board of the technical college shall be abolished upon
3 the selection of the local board of the community college, and all records,
4 personnel, property, unexpended balances of appropriations, allocations or
5 other funds of the technical college shall be transferred to the local board
6 of the community college.

7 (2) Upon the selection of the local board of the community
8 college following the conversion of a two-year branch campus to a community
9 college, the board of trustees of the four-year institution shall transfer all
10 records, personnel, property, unexpended balances of appropriations,
11 allocations or other funds of the two-year branch to the local board of the
12 community college.

13 (f) The local board of the community college shall be responsible for
14 the administration and operation of all satellite campuses.

15 (g) No millage tax of the community college district shall be used for
16 capital outlay expense or operating expense of a satellite campus.

17 (h) Except as set forth otherwise in this act, the local board shall
18 have the same powers and duties as those enumerated in Title 6, Chapter 61 of
19 the Arkansas Code of 1987, as amended.

20 (i) Upon the establishment of the community college, the postsecondary
21 vocational- technical institution, the technical college and the two-year
22 branch of the four-year institution shall be abolished.

23 (j) Any community college established under this section which fails to
24 achieve higher education institutional accreditation from the North Central
25 Association - Commission on Institutions of Higher Education within six (6)
26 years following the date of conversion, shall be abolished by the state board.
27 All records, personnel, property, unexpended balances of appropriations,
28 allocations or other funds of the community college shall be transferred to
29 the State Department of Higher Education.

30

31 SECTION 23. CONSOLIDATIONS. (a)(1) As provided in this act or upon
32 approval of the State Board of Vocational Education, the board of trustees of
33 the receiving institution, *the State Board of Higher Education and the North*
34 *Central Association - Commission on Institutions of Higher Education*
35 thereafter, the board may consolidate a state-supported vocational-technical

1 institution with a four-year institution or a two-year branch campus of a
2 four-year institution.

3 (2) Following approval by the North Central Association - Commission on
4 Institutions of Higher Education, the board, upon approval of the board of
5 trustees of the receiving institution, shall consolidate the following state-
6 supported vocational-technical institutions and four-year institutions or two-
7 year branch campuses of a four-year institution:

8 (A) White River Vocational Technical School with Arkansas State
9 University - Beebe Campus.

10 (b) The board of trustees of the four-year institution which receives a
11 state-supported institution shall be responsible for the administration and
12 operation of the state-supported institution.

13 (c) All records, personnel, property, unexpended balances of
14 appropriations, allocations or other funds of the state-supported institution
15 shall be transferred to the board of trustees.

16

17 SECTION 24. (a) (1) Except as provided in subsection (2), effective
18 July 1, 1991, the board shall designate the Mountain Home Education Center
19 (postsecondary only) (Baxter County) as a technical college.

20 (2) The advisory board of the Mountain Home Education Center
21 (Baxter County) may, by resolution prior to July 1, 1991, elect not to be a
22 technical college.

23 (3) All records, personnel, property, unexpended balances of
24 appropriations, allocations or other funds of the Mountain Home Education
25 Center shall be transferred to the state except as provided in (2) above.

26 (b) (1) If approved by majority vote of the qualified electors of Boone
27 County voting in a special election before July 1, 1991, then effective July
28 1, 1991, Twin Lakes Technical College shall become a candidate for merger with
29 North Arkansas Community College.

30 (2) The election may be called by a resolution adopted by the
31 quorum court of Boone County, the governing body of North Arkansas Community
32 College, or the governing body of Twin Lakes Vocational Technical School.

33 (3) Upon adoption of such a resolution, the entity shall
34 immediately notify the county board of election commissioners who shall call
35 the election.

1 (4) At least twenty (20) days public notice shall be given before
2 the election.

3 (5) The entity calling for the election shall be responsible for
4 paying for the cost of the election unless otherwise agreed to among all
5 entities.

6 (6) Upon approval by the voters to begin the merger process, the
7 technical college shall be governed by the State Board of Higher Education in
8 accordance with the provisions of Section 18 and subsections (f), (h) and (i)
9 of Section 17 during the interim period of seeking approval for change of
10 institutional status from North Central Association - Commission on
11 Institutions of Higher Education.

12 (7) Notwithstanding the provisions of Section 19(a), if the
13 voters of Boone County do not approve the measure, then Twin Lakes Technical
14 College shall continue to be a technical college and shall be subject to the
15 provisions of subsection (g) of Section 19.

16
17 SECTION 25. WITHDRAWAL OR WITHHOLDING OF STATE FUNDING. The board may
18 approve the withdrawal or withholding of state financial and administrative
19 support of any institution in the system under the following conditions:

20 (1) If an institution fails or refuses to maintain prescribed standards
21 of administration or instruction;

22 (2) If a local board fails to appoint as president of the technical or
23 community college one (1) of the candidates found to be qualified by the state
24 board; or

25 (3) If an institution fails to achieve accreditation within the time
26 limits prescribed by this act.

27

28 SECTION 26. STUDENT TUITION - FEES. (a) The intent of this act is to
29 make technical and community college programs available to as many citizens of
30 Arkansas as possible. To this end, tuition and fees should be maintained at a
31 reasonable level so as not to exclude citizens because of cost.

32 (b) The board shall determine the minimum student tuition and fees to
33 be charged by institutions within the system. Students residing outside a
34 community college district may be subject to extra tuition and fees.

35 (c) The local board shall set both in-district and out-of-district

1 student tuition and fees for each institution within its service area.

2

3 SECTION 27. INSTITUTION PRESIDENTS. (a) The president of the
4 technical or community college shall serve at the pleasure of the local board.

5 (b) The persons currently appointed and serving as presidents of
6 existing community colleges or a chancellor of two-year branch of a four-year
7 institution which might transfer to the system shall continue their terms of
8 employment and shall have all rights and benefits of employment.

9 (c) When a vacancy occurs in the office of president of a technical or
10 community college in the system, the local board shall submit a list of
11 finalist to the state board and shall select the new president from a list of
12 candidates *certified* as qualified to meet the minimum requirements for the
13 position by the state board.

14

15 SECTION 28. The State Board of Vocational Education shall remain the
16 sole state agency pursuant to A.C.A. §6-11-106 designated to receive and
17 administer any and all federal funds made available to this state for the
18 purpose of assisting the state or school districts in providing for the
19 extension of vocational and adult education. *The State Board of Vocational*
20 *Education shall transfer to the State Board of Higher Education a*
21 *proportionate share of those federal vocational and adult education funds that*
22 *is at least equal to the proportionate share of such funds expended in 1990-91*
23 *by those institutions being transferred by this act to the jurisdiction of the*
24 *State Board of Higher Education and by those community colleges which received*
25 *such funds. A proportionate share of those federal vocational and adult*
26 *education funds appropriated for planning, evaluation, program improvement and*
27 *other administrative and discretionary purposes shall be placed under the*
28 *jurisdiction and control of the State Board of Higher Education.*

29

30 SECTION 29. (a) TECH-PREP. As used in this section, unless the
31 context otherwise requires:

32 (1) "Articulation agreement" means a commitment to a program
33 designed to provide students with a nonduplicative sequence of progressive
34 achievement leading to competencies in a tech-prep education program or in
35 college transfer programs.

1 (2) "Tech-prep education program" means a combined secondary and
 2 postsecondary program which:

3 (A) leads to an associate of applied science or other
 4 occupational degree or two-year certificate;

5 (B) provides technical preparation in at least one (1) field
 6 of engineering technology, applied science, mechanical, industrial, or
 7 practical art or trade, or agriculture, health, or business;

8 (C) builds student competence in mathematics, science, and
 9 communications (including through applied academics) through a sequential
 10 course of study; and

11 (D) leads to placement in employment.

12 (b) The State Board of Higher Education *and the State Board of*
 13 *Vocational Education* shall *jointly* award grants for tech-prep education
 14 programs to consortia of:

15 (1) Public schools or area vocational education schools serving
 16 secondary school students; and

17 (2) Community colleges which offer a two-year associate degree
 18 program or a two-year certificate program; or

19 (3) Other state-supported institutions of higher education which
 20 offer a two-year associate of applied science or other occupational degree
 21 program or a two-year certificate program.

22 (c) *The State Board of Vocational Education is hereby designated as the*
 23 *agency to receive the funds allocated to the state pursuant to the provisions*
 24 *of 20 U.S.C. §2351 et seq.*

25 (d) From the amounts made available to the state, the *State Board of*
 26 *Higher Education and the State Board of Vocational Education*, in accordance
 27 with this section, shall *jointly* award grants on a competitive basis or on the
 28 basis of a formula determined by *both boards*, for tech-prep education
 29 programs.

30 (e) Each grant recipient shall use amounts provided under the grant to
 31 develop and operate a four-year tech-prep education program.

32 (f) Any such program shall:

33 (1) be carried out under an articulation agreement between the
 34 participants in the consortium;

35 (2) consist of the two (2) years of secondary school preceding

1 graduation and two (2) years of higher education, or an apprenticeship program
2 of at least two (2) years following secondary instruction, with a common core
3 of required proficiency in mathematics, science, communications, and
4 technologies designed to lead to an associate degree or certificate in a
5 specific career field;

6 (3) include in-service training for teachers that:

7 (A) is designed to train teachers to effectively implement
8 tech-prep education curricula;

9 (B) provides for joint training for teachers from all
10 participants in the consortium; and

11 (C) may provide such training in weekend, evening, and
12 summer sessions, institutes or workshops;

13 (4) include training programs for counselors designed to enable
14 counselors to more effectively:

15 (A) recruit students for tech-prep education programs;

16 (B) ensure that such students successfully complete such
17 programs; and

18 (C) ensure that such students are placed in appropriate
19 employment;

20 (5) provide equal access to the full range of technical
21 preparation programs to individuals who are members of special populations,
22 including the development of tech-prep education program services appropriate
23 to the needs of such individuals; and

24 (6) provide for preparatory services which assist all
25 participants in such programs.

26 (g) In addition, each such program may:

27 (1) provide for the acquisition of tech-prep education program
28 equipment; and

29 (2) as part of the program's planning activities, acquire
30 technical assistance from the state or local entities that have successfully
31 designed, established and operated tech-prep programs.

32 (h) Each consortium that desires to receive a grant under this section
33 shall submit an application to the director or the state board, as
34 appropriate, at such time and in such manner as the state board shall
35 prescribe through rule or regulation.

1 (i) Each application submitted under this section shall contain a
2 three-year plan for the development and implementation of activities under
3 this part.

4 (j) The State Board of Higher Education and the State Board of
5 Vocational Education shall approve applications based on their potential to
6 create an effective tech-prep education program as provided in this section.

7 (k) The two (2) boards shall give special consideration to applications
8 which:

9 (1) provide for effective employment placement activities or
10 transfer of students to four-year baccalaureate degree programs;

11 (2) are developed in consultation with business, industry, and
12 labor unions; and

13 (3) address effectively the issues of dropout prevention and re-
14 entry and the needs of minority youths, youths of limited English proficiency,
15 youths with handicaps, and disadvantaged youths.

16 (l) In making grants under this section, the two (2) boards shall
17 ensure an equitable distribution of assistance throughout the state, and shall
18 ensure an equitable distribution of assistance between urban and rural
19 consortium participants.

20 (m) In the case of grants made by the two (2) boards, each grant
21 recipient shall, with respect to assistance received under this section,
22 submit to the Secretary such reports as may be required by the Secretary to
23 ensure that such grant recipient is complying with the requirements of this
24 section.

25 (n) After grant recipients who receive grants in the first year in
26 which grants are made under this section complete their eligibility under the
27 program, the directors shall submit to the General Assembly a report
28 evaluating the effectiveness of the program under this section.

29
30 SECTION 30. (a) Effective July 1, 1991, all powers, functions and
31 duties heretofore vested in and exercised by the Vocational and Technical
32 Education Division of the Department of Education with respect to the Arkansas
33 Industry Training Program are hereby transferred to and shall hereafter be
34 vested in the Arkansas Industrial Development Commission and the Department of
35 Industrial Development.

1 (b) All funds appropriated to and all personnel positions authorized
2 for the Vocational and Technical Education Division of the Department of
3 Education for staffing and operating the Arkansas Industry Training Program
4 for the biennial period ending June 30, 1993, are hereby transferred and shall
5 be made available to the Arkansas Industrial Development Commission and the
6 Industrial Development Department to fund and staff the Arkansas Industry
7 Training Program.

8
9 SECTION 31. Arkansas Code 6-50-102 is hereby amended to read as
10 follows:

11 "6-50-102. Training workers in existing industries.

12 (a) The role and function of the Arkansas Industry Training Program
13 (AITP) of the Arkansas Industrial Development Commission and the Department of
14 Industrial Development is expanded to authorize the Arkansas Industry Training
15 Program to provide training of workers in existing industries as well as in
16 new and expanding businesses and industries.

17 (b) Such training may be for:

18 (1) Upgrading skills and abilities of workers to operate modern,
19 more sophisticated equipment;

20 (2) Providing workers with skills needed for initiating more
21 modern processes and using more sophisticated materials; and

22 (3) Other situations which create a technical-upgrade training
23 need of employees.

24 (c) The resources provided shall not be used to address worker training
25 needs caused by turnover and normal attrition.

26 (d) The Arkansas Industrial Development Commission shall cooperate with
27 the State Board of Higher Education in the operation of this program."

28
29 SECTION 32. (a) All employees who are employed by state-supported
30 postsecondary vocational-technical schools converting to an institution under
31 the Technical and Community College System or those employees of a two-year
32 branch campus of a four-year institution converting to a technical or
33 community college shall become employees of the technical or community
34 college, branch campus of the community college or satellite campus of the
35 community college under this act and shall continue their terms of employment

1 and shall have all rights and benefits of employment, including retirement
 2 benefits, that they had when employed by the state-supported postsecondary
 3 vocational-technical schools or by the two-year branch campus of the four-year
 4 institution.

5 (b) All directors of state-supported postsecondary vocational-technical
 6 schools shall continue their terms of employment and shall have all rights and
 7 benefits of employment, including retirement benefits, under this act and
 8 shall remain directors of the institutions resulting from the merger,
 9 consolidation or expansion under this act.

10 (c) Any abolishment of a position in an institution operated as a
 11 former state-supported postsecondary vocational-technical school by an
 12 institution within the system shall require prior approval of the State Board
 13 during the five (5) years following the effective date of the merger,
 14 consolidation or expansion.

15 (d) *Nothing in this section shall be interpreted to provide any*
 16 *employee described herein with any employment rights or benefits greater than*
 17 *those employment rights or benefits to which all state employees are entitled.*
 18

19 SECTION 33. The Arkansas Advisory Council for Vocational-Technical
 20 Education is hereby abolished. Ark. Code Ann. §§6-50-301 - 305 are repealed.
 21 All records, property, unexpended balances of appropriations, allocations or
 22 other funds of the Arkansas Advisory Council for Vocational-Technical
 23 Education are hereby transferred to the Office of the Governor. The Governor
 24 shall reconstitute an advisory group as required by the Carl D. Perkins
 25 Vocational/Applied Technology Education Act of 1990 to advise the State Board
 26 of Vocational Education and the State Board of Higher Education concerning use
 27 of federal funding for vocational-technical education. Any such advisory
 28 group shall contain representatives *knowledgeable in business, industry, labor*
 29 *or economic development communities of this state.*
 30

31 SECTION 34. (a) Each instructor and administrative staff member of a
 32 state-supported postsecondary vocational-technical school employed on July 1,
 33 1991, shall within ninety (90) days following the transfer to the Technical
 34 and Community College System established under this act or upon transfer to
 35 the system with the approval of the board, elect either to continue membership

1 in the retirement plan in which he or she was enrolled prior to that date or
 2 transfer to the Teacher Retirement System or any alternate retirement plan
 3 currently established for the institution into which it is being merged or
 4 consolidated. Once such election is made, the election is irrevocable during
 5 the tenure of employment with the system.

6 (b) Each instructor and administrative staff member of a two-year
 7 campus of a four-year institution which is later converted to a technical
 8 college or community college under this act, shall within ninety (90) days
 9 following the appointment of the local board elect either to continue
 10 membership in the retirement plan in which he or she was enrolled prior to the
 11 conversion or to transfer membership to the Teacher Retirement System. Once
 12 such election is made, the election is irrevocable during the tenure of
 13 employment with the system.

14 (c) Any other employees of an institution transferring to the system
 15 under this act or under the approval of the board, shall remain a member of
 16 the retirement system to which they were enrolled prior to the transfer.

17

18 SECTION 35. (a) Following July 1, 1991, any existing postsecondary
 19 vocational-technical school transferring to the system shall do so only upon
 20 approval by the General Assembly and the recommendation of the State Board of
 21 Higher Education.

22 (b) Upon completion of the transfer to the system, the institution
 23 shall be subject to the same laws, procedures, rules and regulations as all
 24 other institutions under the jurisdiction of the State Board.

25

26 SECTION 36. (a) As soon as practicable upon the passage of this act,
 27 the Governor shall appoint the three (3) additional members to the State Board
 28 of Higher Education as provided in Section 4 hereof.

29 (b) In addition to the qualifications set forth in Section 4 such
 30 members shall be knowledgeable in vocational education, *postsecondary* adult
 31 education or federal job training programs and shall be *knowledgeable in*
 32 *business, industry, labor* or economic development communities of the state, or
 33 any combination of these characteristics.

34 (c) The three (3) vacancies which next occur in membership on the State
 35 Board of Higher Education shall be filled by persons meeting the

1 qualifications set forth herein. The board shall restructure itself at such
2 time to place such new members on the College Panel of the State Board of
3 Higher Education.

4
5 SECTION 37. The procedures and deadlines established in this act shall,
6 for the purposes of this act, be in lieu of and supersede those set forth in
7 existing laws of this state with respect to the establishment, organization
8 and administration of vocational-technical postsecondary institutions and
9 community colleges. Existing laws of this state shall for the purposes of
10 this act apply only in those situations which are not specifically provided
11 for in this act and, when applied, shall be consistent, insofar as possible,
12 with the purpose, procedures and deadlines contained in this act.

13
14 SECTION 38. *LICENSED BLIND VENDORS. Arkansas Code Annotated §22-3-1301*
15 *et seq. grants preference to trained blind individuals in the operation of*
16 *vending facilities on certain state-owned or leased property. Further, such*
17 *vending facilities provide productive employment to qualified blind persons*
18 *resulting in earned income which returns tax dollars to the state. Therefore*
19 *it is the specific intent of this act to continue such vending preferences*
20 *allowed under Arkansas Code Annotated §22-3-1301 et seq. with all rights and*
21 *responsibilities required therein at all vocational-technical schools where*
22 *they now operate. Any institutional consolidation resulting from this act*
23 *shall include plans for continuation of vending facilities at the preceding*
24 *locations subject to Arkansas Code Annotated §22-3-1301 et seq.*

25
26 SECTION 39. All provisions of this act of a general and permanent
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
28 Code Revision Commission shall incorporate the same in the Code.

29
30 SECTION 40. If any provision of this act or the application thereof to
31 any person or circumstance is held invalid, such invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provision or application, and to this end the provisions of this
34 act are declared to be severable.

35

1 SECTION 41. All laws and parts of laws in conflict with this act are
2 hereby repealed.

3

4 SECTION 42. EMERGENCY CLAUSE. It is hereby found and determined by the
5 Seventy-Eighth General Assembly that the restructuring of the delivery system
6 of adult education and vocational education in this state is necessary to
7 provide higher quality educational programs which are accessible by all
8 segments of the population in this state; that recent studies have shown that
9 in the year 2000, workers must have a minimum of fourteen (14) years education
10 to function in the work force; that the state is in desperate need of
11 training, retraining and upgrading the work force; that this act will provide
12 a means to establish more institutions working closely with business and
13 industry to provide every citizen with an opportunity to participate in
14 vocational-technical training or college transfer programs within a reasonable
15 driving distance of their homes; that it is necessary for this act to become
16 effective immediately so needed changes can be made prior to the date the
17 institutions contained herein are transferred to the new system. Therefore,
18 an emergency is hereby declared to exist and this act being necessary for the
19 immediate preservation of the public peace, health and safety shall be in full
20 force and effect from and after its passage and approval.

21 .

22

/s/J. Miller et al

24

25

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27

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