

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 476

4 By: Senators Hardin and Wilson

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For An Act To Be Entitled

8 "AN ACT TO CREATE THE ARKANSAS ADVISORY COUNCIL FOR
9 VOCATIONAL-TECHNICAL EDUCATION; TO CONFORM THE MEMBERSHIP
10 AND DUTIES OF THE COUNCIL TO FEDERAL REQUIREMENTS; TO
11 PRESCRIBE THE AUTHORITY AND RESPONSIBILITIES OF THE
12 COUNCIL; TO ABOLISH THE ARKANSAS ADVISORY COUNCIL FOR
13 VOCATIONAL AND TECHNICAL EDUCATION ESTABLISHED UNDER THE
14 AUTHORITY OF UNCODIFIED SECTION 33 OF ACT 1244 OF 1991;
15 AND FOR OTHER PURPOSES."

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Subtitle

18 "TO CREATE THE ARKANSAS ADVISORY COUNCIL
19 FOR VOCATIONAL-TECHNICAL EDUCATION."

20

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

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23 SECTION 1. (a) There is hereby created the Arkansas Advisory Council
24 for Vocational-Technical Education, with the Arkansas Industrial Development
25 Commission designated as the state agency eligible to receive federal funds
26 for the Advisory Council for Vocational-Technical Education and to act as the
27 council_s fiscal agent for purposes of disbursement, accounting, and auditing
28 pursuant to 20 U.S.C. §2322(c) and (e) and §2323(c).

29 (b) The council shall consist of thirteen (13) members appointed by
30 the Governor as hereinafter provided and shall serve in a manner prescribed
31 by this act and 20 U.S.C. § 2301 et seq.

32 (c) Those members of the council appointed pursuant to the provisions
33 of this act and 20 U.S.C. § 2302 et seq. shall serve terms of three (3)
34 years.

35 (d) At the initial meeting of the council the members shall draw lots

1 for terms of appointment. Four (4) shall draw lots for one year appointment,
2 four (4) shall draw lots for two (2) year appointments, and five (5) shall
3 draw lots for three (3) year appointments.

4 (e) In the event a vacancy is created by the death or resignation of a
5 member or by other cause, a successor shall be appointed within fifteen (15)
6 days to serve for the remainder of the unexpired term.

7 (f) In such event, the Governor shall appoint a successor within
8 fifteen (15) days of being notified.

9 (g) No employee of the Arkansas Department of Education (General
10 Division or Vocational and Technical Division) or any other state agency
11 administering training programs shall be eligible to serve on the council, if
12 so prohibited by federal law or regulations.

13 (h) The Governor shall appoint persons to the council pursuant to 20
14 U.S.C. 2322(a) who meet the following criteria:

15 (1) Seven (7) individuals who are representative of the private
16 sector in Arkansas and who shall constitute a majority of the membership of
17 the council, one (1) of whom shall be appointed by the Governor to serve as
18 chairman.

19 (A) Four (4) of the members shall be chief executive
20 officers or high level management of business or industries in Arkansas, one
21 (1) of whom shall represent small businesses;

22 (B) One (1) shall represent agricultural interests in
23 Arkansas;

24 (C) Two (2) shall be officers of organized labor in
25 Arkansas;

26 (D) Furthermore, one (1) shall be a member of the State
27 Job Training Coordinating Council.

28 (2) Six (6) individuals shall be appointed who are
29 representative of secondary and postsecondary institutions that offer
30 programs in vocational or technical education. Individuals appointed
31 pursuant to subdivision (2) of this subsection shall be either senior
32 management or senior professionals or have held executive positions with the
33 institutions or endeavors that they were appointed to the council to
34 represent. Any individual appointed pursuant to subdivision (2) of this
35 subsection who leaves the institution and its employ, yet maintains

1 professional contacts and relationships pursuant to the category represented,
2 shall be eligible to serve on the council.

3 (3) In appointing members pursuant to subdivision (2) of this
4 subsection, the Governor shall strive for equitable distribution between
5 postsecondary and secondary institutions and shall appoint:

6 (A) One (1) individual to represent a state-supported
7 two-year or four-year institution of higher education;

8 (B) One (1) individual to represent a postsecondary
9 vocational-technical institution;

10 (C) One (1) individual to represent state-supported
11 corrections education;

12 (D) One (1) individual to represent special education; and

13 (E) One (1) individual to represent career guidance and
14 counseling organizations.

15 (4)(A) Of the members appointed pursuant to this section, one
16 shall represent the Arkansas Senate and one shall represent the Arkansas
17 House of Representatives.

18 (B) In appointing the membership of the entire council,
19 the Governor shall make efforts to provide for appropriate representation
20 where possible based on sex, race, or ethnic origin.

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22 SECTION 2. (a) The responsibilities of the Arkansas Advisory Council
23 for Vocational-Technical Education shall include promotion of interest in
24 vocational and technical education, assistance in developing the plans
25 required by 20 U.S.C. § 2301, and advice to the State Board of Vocational
26 Education.

27 (b) The council shall also:

28 (1) Meet with the board or its representative during the
29 planning year to advise on the development of the state plan;

30 (2) Advise the board and make reports to the Governor, the
31 business and industrial community, the General Assembly, and the general
32 public concerning:

33 (A) Policies the state should pursue to strengthen
34 vocational and technical education with particular attention to programs for
35 persons with disabilities;

1 (B) Initiatives and methods the private sector can
2 undertake to help assure that the modernization of vocational and technical
3 programs is of high quality;

4 (3) Analyze and report on the distribution of all vocational
5 education funds in the state and on the availability of vocational education
6 activities and services within the state;

7 (4) Consult with the board on the establishment of evaluation
8 criteria for vocational education programs within the state;

9 (5) Submit recommendations to the board on the conduct of
10 vocational education programs conducted in the state that emphasize the use
11 of business concerns and labor organizations;

12 (6) Assess the distribution of financial assistance under this
13 act, particularly the distribution of financial assistance between secondary
14 vocational education programs and postsecondary vocational education
15 programs;

16 (7) Recommend procedures to the board to ensure and enhance the
17 participation of the public in the provision of vocational education at the
18 local level within the state, particularly the participation of local
19 employers and local labor organizations;

20 (8) Report to the board on the extent to which individuals
21 described in 20 U.S.C. § 2331(b) are provided with equal access to quality
22 vocational and technical programs;

23 (9) Evaluate at least once every two (2) years the vocational
24 program delivery systems assisted under 20 U.S.C. § 2301 et seq. and the
25 federal Job Training Partnership Act in terms of adequacy and effectiveness
26 in achieving their respective purposes;

27 (10) Make recommendations to the board on the adequacy and
28 effectiveness of the coordination that takes place between vocational
29 education and the federal Job Training Partnership Act;

30 (11) Advise, in writing, the Governor, board, State Job Training
31 Coordinating Council, and the Secretaries of the U.S. Department of Education
32 and the U.S. Department of Labor the council's findings and recommendations;

33 (12) Perform any other duties and functions as may be required by
34 state or federal law.

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1 SECTION 3. Pursuant to 20 U.S.C. § 2322, the Arkansas Advisory Council
2 for Vocational-Technical Education is authorized to obtain the services of
3 professional, technical, and clerical personnel necessary to enable it to
4 carry out its functions and to contract for services necessary to enable the
5 council to carry out its evaluation and operational functions independent of
6 programmatic and administrative control by other state boards, agencies, or
7 individuals.

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9 SECTION 4. (a) The Arkansas Advisory Council for Vocational-Technical
10 Education shall perform such other functions as shall be required by state or
11 federal law.

12 (b) The council is expected to advise the State Board of Vocational
13 Education, Governor, and General Assembly on all matters that pertain to
14 vocational and technical education and those programs that relate to other
15 educational programs, efforts, and services which are relevant to quality
16 vocational and technical programs and which may support the state's economic
17 and industrial development.

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19 SECTION 5. (a) Funds necessary to accomplish the mandates of 20
20 U.S.C. § 2301 et seq. and this act shall be provided from federal funds and
21 from state funds through appropriation by the General Assembly.

22 (b) Members of the Arkansas Advisory Council for Vocational-Technical
23 Education shall serve without compensation but may, to the extent monies are
24 appropriated therefor and subject to reasonable limitations established by
25 the Department of Finance and Administration, be reimbursed for actual
26 reasonable expenses incurred in the performance of their official duties.

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28 SECTION 6. The Arkansas Advisory Council for Vocational and Technical
29 Education established by the Governor under authority of uncodified Section
30 33 of Act 1244 of 1991 is hereby abolished. All records, property,
31 personnel, unexpended balances of appropriations, allocations, or other funds
32 of such council are hereby transferred to the Arkansas Industrial Development
33 Commission for purposes as specified in Section 1 of this act.

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35 SECTION 7. The provisions of this act shall be effective on July 1,

1 1995.

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3 SECTION 8. All provisions of this act of a general and permanent
4 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
5 Code Revision Commission shall incorporate the same in the Code.

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7 SECTION 9. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

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13 SECTION 10. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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