

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1158

4
5 By: Representative Luker

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-11-102 TO
10 PROVIDE THAT THE DIRECTORS OF GENERAL EDUCATION AND
11 VOCATIONAL AND TECHNICAL EDUCATION SHALL BE APPOINTED BY
12 THE GOVERNOR AND SERVE EXCLUSIVELY AT THE GOVERNOR'S
13 PLEASURE; TO DECLARE AN EMERGENCY; AND FOR OTHER
14 PURPOSES."

Subtitle

16 "TO PROVIDE THAT THE DIRECTORS OF
17 GENERAL EDUCATION AND VOCATIONAL AND
18 TECHNICAL EDUCATION SHALL BE APPOINTED
19 BY THE GOVERNOR AND SERVE EXCLUSIVELY AT
20 THE GOVERNOR'S PLEASURE."

22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code Annotated § 6-11-102 is amended to read as
26 follows:

27 "6-11-102. Directors - General Education - Vocational and Technical
28 Education.

29 (a) ~~Subject to confirmation by the Governor, the State Board of~~
30 ~~Education and the State Board of Vocational Education are empowered to employ~~
31 ~~persons to act as the~~ The Director of General Education and the Director of
32 Vocational and Technical Education, ~~who~~ shall be appointed by the Governor,
33 subject to confirmation by the Senate in the manner provided by law, and shall
34 serve at the pleasure of the Governor.

35 (b) The directors shall devote all of their time to the duties of their
36 offices, shall act as agents of the boards, and perform such other duties as

1 are designated by the boards or by statute.

2 (c)(1) The person selected as the Director of General Education must:

3 (A) Be a person of good moral character, recognized as a
 4 leader in the field of education, qualified technically and by experience to
 5 direct the work of the Department of Education;

6 (B) Hold the master's degree from an accredited
 7 institution;

8 (C) Have had ten (10) years' experience as a teacher, five
 9 (5) of which must be of an administrative or supervisory nature; and

10 (D) Hold a valid state teacher's certificate.

11 (2) No person who is related within the fourth degree of
 12 consanguinity or affinity to any member of the State Board of Education shall
 13 be eligible to serve as Director of General Education.

14 (d)(1) The person selected as Director of Vocational and Technical
 15 Education must:

16 (A) Be a person of good moral character, recognized as a
 17 leader in the field of vocational education, qualified technically and by
 18 experience to direct the work of the Vocational and Technical Education
 19 Division;

20 (B) Hold the master's degree from an accredited
 21 institution;

22 (C) Have had ten (10) years' experience as a teacher,
 23 supervisor, and administrator of vocational education, with the experience
 24 representing positions of increasing responsibility; and

25 (D) Qualify as a teacher in a vocational program area under
 26 the state board's standard qualification requirements.

27 (2) No person who is related within the fourth degree of
 28 consanguinity or affinity to any member of the State Board of Vocational
 29 Education shall be eligible to serve as Director of Vocational and Technical
 30 Education.

31 ~~—— (e) It is the specific intention of this act to define and declare the~~
 32 ~~Director of General Education to be the employee of the State Board of~~
 33 ~~Education and the Director of Vocational and Technical Education to be the~~
 34 ~~employee of the State Board of Vocational Education.~~

35 ~~—— (f)~~(e)(1) The Director of General Education, or a disbursing agent
 36 designated by him and approved by the State Board of Education, and the

1 Director of Vocational and Technical Education, or a disbursing agent
 2 designated by him and approved by the State Board of Vocational Education,
 3 shall give bond to the State of Arkansas as provided by law for other
 4 disbursing agents, conditioned for the faithful performance of their duties
 5 and the faithful accounting for all the school money of the state, of any
 6 county, or of any school district that may come into their hands.

7 (2) The bond shall be in a solvent surety company having a right
 8 to do business in the State of Arkansas and shall be approved by the State
 9 Board of Education.

10 (3) The premium on the bond shall be paid by the State Board of
 11 Education as one of the expenses of the board.

12 ~~_____ (g)(f)~~ The state shall furnish the directors with suitable offices."
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14 SECTION 2. All provisions of this act of a general and permanent nature
 15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 16 Revision Commission shall incorporate the same in the Code.

17
 18 SECTION 3. If any provision of this act or the application thereof to
 19 any person or circumstance is held invalid, such invalidity shall not affect
 20 other provisions or applications of the act which can be given effect without
 21 the invalid provision or application, and to this end the provisions of this
 22 act are declared to be severable.

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 24 SECTION 4. All laws and parts of laws in conflict with this act are
 25 hereby repealed.

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 27 SECTION 5. EMERGENCY. It is found and determined by the General
 28 Assembly of the State of Arkansas that the immediate effectiveness of this act
 29 is necessary to clarify the law regarding who has the authority to dismiss the
 30 Director of Vocational and Technical Education and the Director of General
 31 Education and is essential to the operation of both divisions of the
 32 Department of Education. Therefore an emergency is declared to exist and this
 33 act being immediately necessary for the preservation of the public peace,
 34 health and safety shall become effective on the date of its approval by the
 35 Governor. If the bill is neither approved nor vetoed by the Governor, it
 36 shall become effective on the expiration of the period of time during which

1 the Governor may veto the bill. If the bill is vetoed by the Governor and the
2 veto is overridden, it shall become effective on the date the last house
3 overrides the veto.

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