

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4  
5 By: Senator Hill

# A Bill

SENATE BILL 53

## 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.

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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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