

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

A Bill

SENATE BILL 93

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 SERVE AT THE
12 PLEASURE OF THEIR RESPECTIVE STATE BOARDS; TO DECLARE AN
13 EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

15 "TO PROVIDE THAT THE DIRECTORS OF
16 GENERAL EDUCATION AND VOCATIONAL AND
17 TECHNICAL EDUCATION SHALL SERVE AT THE
18 PLEASURE OF THEIR RESPECTIVE STATE
19 BOARDS."

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

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

26 "6-11-102. Directors - General Education - Vocational and Technical
27 Education.

28 (a)(1) ~~Subject to confirmation by the Governor, the~~ The State Board of
29 Education and the State Board of Vocational Education are empowered to employ
30 persons to act as the Director of General Education and the Director of
31 Vocational and Technical Education, who shall serve at the pleasure of ~~the~~
32 ~~Governor~~ their respective boards.

33 (2) It is the specific intention of this subsection to define and
34 declare the Director of General Education to be the employee of the State
35 Board of Education and the Director of Vocational and Technical Education to
36 be the employee of the State Board of Vocational Education.

1 (b) The directors shall devote all of their time to the duties of their
2 offices, shall act as agents of the boards, and perform such other duties as
3 are designated by the boards or by statute.

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

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

8 (B) Hold the master's degree from an accredited
9 institution;

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

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

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

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

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

22 (B) Hold the master's degree from an accredited
23 institution;

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

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

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

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

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

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

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

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

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

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

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29 SECTION 5. EMERGENCY. It is hereby found and determined by the Eighty-
 30 First General Assembly of the State of Arkansas that the immediate
 31 effectiveness of this act is necessary to clarify the law in regard to who has
 32 authority to dismiss the Director of Vocational and Technical Education and
 33 the Director of General Education and is essential to the operation of both
 34 divisions of the Department of Education. Therefore, an emergency is declared
 35 to exist and this act being immediately necessary for the preservation of the
 36 public peace, health and safety shall become effective on the date of its

1 approval by the Governor. If the bill is neither approved nor vetoed by the
2 Governor, it shall become effective on the expiration of the period of time
3 during which the Governor may veto the bill. If the bill is vetoed by the
4 Governor and the veto is overridden, it shall become effective on the date the
5 last house overrides the veto.

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