

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

HOUSE BILL 1393

4  
5 By: Representative Hendren  
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## For An Act To Be Entitled

8  
9 "AN ACT TO PROVIDE ADVANCED OR ACCELERATED PROGRAMS IN  
10 MATH, SCIENCE, READING, AND WRITING; AND FOR OTHER  
11 PURPOSES. "

## Subtitle

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14 "TO PROVIDE ADVANCED OR ACCELERATED  
15 PROGRAMS IN MATH, SCIENCE, READING, AND  
16 WRITING. "

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

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21 SECTION 1. Arkansas Code 6-13-1017(c) is amended to read as follows:

22 "(c) Education service cooperatives may provide shared educational  
23 programs and services such as needs assessment and school improvement  
24 planning, staff development, curriculum development, itinerant teachers,  
25 instructional materials, adult and vocational education, ~~programs for gifted~~  
26 ~~and talented~~, education for children with disabilities, and other services  
27 including advanced or accelerated programs for math, science, reading, and  
28 writing which the State Board of Education may approve or which school  
29 districts may support with local funds."

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31 SECTION 2. Arkansas Code 6-15-806(b)(8) is amended to read as follows:

32 "(8) Ratio of expenditures per pupil on administrative, and athletic,  
33 ~~and gifted and talented~~ expenses and expenses for advanced or accelerated  
34 programs in math, science, reading, and writing."

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36 SECTION 3. Arkansas Code 6-20-310(4) is amended to read as follows:

1           “(4) Local school districts shall expend from state and local revenues  
2 not less than the following amounts on ~~gifted and talented programs~~ advanced  
3 or accelerated programs in math, science, reading, and writing, in accordance  
4 with rules and regulations promulgated by the State Board of Education: The  
5 previous year's average daily membership participating in gifted and talented  
6 programs, up to five percent (5%) of the previous year's average daily  
7 membership, multiplied by fifteen hundredths (0.15) times the base local  
8 revenue per student.”

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10           SECTION 4. Arkansas Code 6-42-101 is amended to read as follows:

11           “6-42-101. Policy.

12           It is the policy of this state to assist school districts in providing  
13 programs designed to meet the unique educational needs of ~~gifted and talented~~  
14 children who could benefit from advanced or accelerated programs in math,  
15 science, reading, and writing.”

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17           SECTION 5. Arkansas Code 6-42-103 is amended to read as follows:

18           “6-42-103. Office for the Education of ~~Gifted and Talented Children~~ Who  
19 Could Benefit from Advanced or Accelerated Programs in Math, Science, Reading,  
20 and Writing.

21           To implement the policy stated in § 6-42-101, there is established in  
22 the Department of Education, Section for the Education of Exceptional  
23 Children, an Office for the Education of ~~Gifted and Talented Children~~ Who  
24 Could Benefit from Advanced or Accelerated Programs in Math, Science, Reading,  
25 and Writing to be headed by an administrator who shall be qualified by  
26 education, training, and experience to direct the state program for ~~gifted and~~  
27 ~~talented~~ children who could benefit from advanced or accelerated programs in  
28 math, science, reading, and writing.”

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30           SECTION 6. Arkansas Code 6-42-104 is amended to read as follows:

31           “6-42-104. Advisory Council for the Education of ~~Gifted and Talented~~  
32 Children Who Could Benefit from Advanced or Accelerated Programs in Math,  
33 Science, Reading, and Writing.

34           (a)(1) There is established an Advisory Council for the Education of  
35 ~~Gifted and Talented Children~~ Who Could Benefit from Advanced or Accelerated  
36 Programs in Math, Science, Reading, and Writing which shall advise and consult

1 with the Director of the Department of Education and the Administrator of the  
2 Office for the Education of ~~Gifted and Talented~~ Children Who Could Benefit  
3 from Advanced or Accelerated Programs in Math, Science, Reading, and Writing  
4 and which shall engage in such other activities as set forth in this section.

5 (2) The advisory council shall be advisory only and shall have no  
6 administrative responsibility.

7 (b)(1) The advisory council shall consist of nine (9) members who are  
8 not officers or employees of state agencies and no more than four (4) of whom  
9 may be officers or employees of school districts.

10 (2) The council shall be composed of persons interested in the  
11 education of ~~gifted and talented~~ children who could benefit from advanced or  
12 accelerated programs in math, science, reading, and writing.

13 (c)(1) The Governor, subject to confirmation by the Senate, shall  
14 appoint the members of the advisory council for terms of three (3) years.

15 (2) A member may be eligible for reappointment for one (1)  
16 additional term.

17 (d) Vacancies which leave unexpired terms shall be filled in the  
18 regular manner for the unexpired period of time, and vacancies as a result of  
19 expiration of terms shall be filled in the regular manner for three-year  
20 periods.

21 (e)(1) The advisory council annually shall elect its own chairman and  
22 vice chairman.

23 (2) The Administrator of the Office for the Education of ~~Gifted~~  
24 ~~and Talented~~ Children Who Could Benefit from Advanced or Accelerated Programs  
25 in Math, Science, Reading, and Writing shall act as secretary to the advisory  
26 council.

27 (f) The Department of Education shall, within available personnel,  
28 facilities, and appropriations, furnish meeting facilities and staff services  
29 for the advisory council.

30 (g) The members of the advisory council may receive expense  
31 reimbursement in accordance with § 25-16-901 et seq.

32 (h) The advisory council shall:

33 (1) Have an opportunity to comment on rules and regulations  
34 proposed for issuance pursuant to this subchapter.

35 (2) Consider any problems presented to it by the Director of the  
36 Department of Education or the Administrator of the Office for the Education

1 of ~~Gifted and Talented~~ Children Who Could Benefit from Advanced or Accelerated  
2 Programs in Math, Science, Reading, and Writing and give advice thereon.

3 (3) Review state plans prepared by the Office for the Education  
4 of ~~Gifted and Talented~~ Children Who Could Benefit from Advanced or Accelerated  
5 Programs in Math, Science, Reading, and Writing prior to their submission to  
6 duly constituted authorities.

7 (4) Make an annual report to the Governor, the General Assembly,  
8 the State Board of Education, and the Director of the Department of Education,  
9 which shall be made available to the news media so that the general public may  
10 be informed regarding educational programs for gifted and talented children.  
11 Funds for the publication of the annual report of the advisory council shall  
12 be made available by the Department of Education from its regular  
13 appropriations. Available federal and state funds may be used for this  
14 purpose.

15 (5) Participate with the staff of the Department of Education in  
16 determining the need for educational programs to serve gifted and talented  
17 children to be operated by the Department of Education, in selecting the sites  
18 for educational programs, in establishing student selection criteria for  
19 participation in the programs, in selecting students to participate in the  
20 programs, and in selecting faculty and staff for the programs.

21 (6)(A) Select, on an annual basis, not more than three (3)  
22 educational programs ~~for gifted and talented students operated by school~~  
23 ~~districts~~ described in § 6-20-310(4) for recognition as outstanding programs.

24 (B) The programs so recognized shall be eligible to receive  
25 an award of not more than three thousand dollars (\$3,000) from funds  
26 appropriated to the Department of Education for the purpose of making awards  
27 to outstanding educational programs."  
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29 SECTION 7. Arkansas Code 6-42-105 is amended to read as follows:

30 "6-42-105. Disbursing agency.

31 The Department of Education is designated as the state agency to receive  
32 and disburse federal funds designed to improve educational opportunities for  
33 ~~gifted and talented~~ children who could benefit from advanced or accelerated  
34 programs in math, science, reading, and writing and shall develop such plans  
35 and procedures as may be required in order to receive and disburse such  
36 federal funds."

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2 SECTION 8. Arkansas Code 6-42-106 is amended to read as follows:

3 "6-42-106. ~~Gifted and talented programs~~ Advanced or accelerated programs  
4 for math, science, reading, and writing - Funding and eligibility.

5 (a)(1) Appropriations made by the General Assembly to the Public School  
6 Fund for the purposes of this subchapter shall be disbursed by the Department  
7 of Education in accordance with regulations promulgated by the State Board of  
8 Education.

9 (2) Such funds may be used to provide financial assistance to  
10 school districts operating programs for gifted and talented children and to  
11 fund supplemental programs for ~~gifted and talented~~ children who could benefit  
12 from advanced or accelerated programs in math, science, reading, and writing  
13 operated by the Department of Education directly or through contract with  
14 other public or private agencies.

15 (3) All school districts are eligible to make application for  
16 payments under this subchapter, and two (2) or more districts may submit an  
17 application for a cooperative program.

18 (b)(1) Specific eligibility requirements for ~~gifted and talented~~  
19 ~~programs~~ advanced or accelerated programs in math, science, reading, and  
20 writing in each school district shall be determined by the school district  
21 board of directors.

22 (2) In order to qualify for such financial assistance as may be  
23 available from the state, school district eligibility requirements must be  
24 consistent with the guidelines for ~~gifted and talented programs~~ advanced or  
25 accelerated programs in math, science, reading, and writing adopted by the  
26 State Board of Education with the advice of the Advisory Council for the  
27 Education of ~~Gifted and Talented Children~~ Who Could Benefit from Advanced or  
28 Accelerated Programs in Math, Science, Reading, and Writing."

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30 SECTION 9. Arkansas Code 6-42-107 is amended to read as follows:

31 "6-42-107. Cooperation with other agencies.

32 The State Board of Education is authorized to cooperate with other  
33 public and private agencies in developing ~~programs for gifted and talented~~  
34 ~~children~~ advanced or accelerated programs in math, science, reading, and  
35 writing."

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1 SECTION 10. Arkansas Code 6-42-108(c) is amended to read as follows:

2 "(c) The summer educational programs established pursuant to the  
3 authority of this section shall be operated by the Department of Education  
4 directly or by contract with other public or private agencies and shall be  
5 funded from the appropriation to the Department of Education for the operation  
6 of ~~programs for the education of gifted and talented students~~ advanced or  
7 accelerated programs in math, science, reading, and writing."

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9 SECTION 11. Arkansas Code 6-42-109 is amended to read as follows:

10 "6-42-109. Reports by school districts.

11 Each school district shall report annually to the Department of  
12 Education, at a prescribed due date, the extent to which it is providing  
13 educational opportunities specifically designed to meet the educational needs  
14 of ~~gifted and talented~~ children who could benefit from advanced or accelerated  
15 programs in math, science, reading, and writing."

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17 SECTION 12. Arkansas Code 6-42-201(a)(1) is amended to read as follows:

18 "(a)(1) There is hereby established the Arkansas School for Mathematics  
19 and Sciences, hereinafter 'school', which shall be a residential school for  
20 eleventh and twelfth grade students. The purpose of the school shall be to  
21 educate the ~~gifted and talented math and science~~ students of the state who  
22 would benefit from advanced or accelerated programs in math, science, reading,  
23 and writing and to develop curricula and materials to improve instruction in  
24 mathematics and sciences for all students in the state. The school's  
25 curriculum, faculty, and admissions policy shall reflect such purposes."

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27 SECTION 13. All provisions of this act of a general and permanent  
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
29 Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 14. If any provision of this act or the application thereof to  
32 any person or circumstance is held invalid, such invalidity shall not affect  
33 other provisions or applications of the act which can be given effect without  
34 the invalid provision or application, and to this end the provisions of this  
35 act are declared to be severable.

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1           SECTION 15. All laws and parts of laws in conflict with this act are  
2 hereby repealed.

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