

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

SENATE BILL 191

4  
5 By: Senator Broadway  
6 By: Representatives Rainey, Mahony

## For An Act To Be Entitled

10 AN ACT TO CREATE THE CORRECTIONS SCHOOL DISTRICT;  
11 TO CLARIFY THE PURPOSE AND FUNDING FOR THE  
12 CORRECTIONS SCHOOL DISTRICT; AND FOR OTHER  
13 PURPOSES.

## Subtitle

16 AN ACT TO CREATE THE CORRECTIONS SCHOOL  
17 DISTRICT AND TO CLARIFY THE PURPOSE AND  
18 FUNDING FOR THE CORRECTIONS SCHOOL  
19 DISTRICT.

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

24 SECTION 1. Arkansas Code 12-29-301 is amended to read as follows:  
25 12-29-301. School district created.

26 (a) Properties owned by the State of Arkansas and occupied by the  
27 various units of the Department of Correction and the Department of Community  
28 Correction are by this subchapter designated as a qualified school district  
29 to be known as the ~~Department of Correction~~ Corrections School District.

30 (b) This qualified district is created for the purpose of providing  
31 elementary, secondary, and vocational and technical education to ~~all~~  
32 qualified persons incarcerated in ~~department facilities~~ facilities of the  
33 Department of Correction and the Department of Community Correction or to  
34 qualified persons supervised by the Department of Community Correction  
35 including those on probation and parole or any type of post prison release or  
36 transfer who are not high school graduates, irrespective of age.



1 (c) The Board of Corrections shall act as the school board for the  
 2 school district.

3 (d)(1) The Corrections School District's chief administrative officer,  
 4 shall be under the direct authority of the Board of Directors of the  
 5 Corrections School District.

6 (2) Subject to the approval of the Board of Directors of the  
 7 Corrections School District, the chief administrative officer or  
 8 superintendent of the Corrections School District shall have supervisory  
 9 authority over the employees of the Corrections School District, including  
 10 but not limited to assistant superintendents, principals and teachers.

11  
 12 SECTION 2. Arkansas Code 12-29-303 is amended to read as follows:

13 12-29-303. Privileges of students - Limitations.

14 The schools established under ~~the provisions of~~ this subchapter and  
 15 those persons incarcerated who attend the schools shall be entitled to ~~all of~~  
 16 ~~the~~ certain educational privileges provided generally to common public  
 17 schools and adult education programs administered by the State Board of  
 18 Education to students who attend them under the laws of the State of  
 19 Arkansas, provided the privileges do not conflict with the rules,  
 20 regulations, and policies of the State Board of Education, Department of  
 21 Correction, and the Department of Community Correction or the laws of the  
 22 state respecting the establishment and operation of the ~~department~~  
 23 departments.

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 25 SECTION 3. Arkansas Code 12-29-304 is amended to read as follows:

26 12-29-304. Costs and funding.

27 (a) The cost of implementing and operating the school program in the  
 28 ~~Department of Correction~~ Corrections School District shall be borne by the  
 29 state and shall be paid from funds appropriated by the General Assembly from  
 30 the general revenues of the state to the Department of Correction, the  
 31 Department of Community Correction, and the Department of Education, together  
 32 with any federal funds that may be available for that purpose and from any  
 33 funds generated from the operations of the Department of Correction and the  
 34 Department of Community Correction, in the following manner:

35 (1) The cost of facilities, equipment, and current operation in  
 36 excess of the amount of grants and aids received from the Department of

1 Education shall be borne by the Department of Correction and the Department  
2 of Community Correction as approved by the Board of Corrections;

3 (2)(A) The ~~Department of Correction~~ Corrections School District,  
4 as other school districts in the state, shall share in the distribution of  
5 grants and aids from the Department of Education.

6 (B) In no case, however, shall the moneys from the Public  
7 School Fund to the ~~Department of Correction~~ Corrections School District be in  
8 excess of the ~~statewide average state equalization funding per student, as~~  
9 ~~defined in § 6-20-303, multiplied by the average daily membership of the~~  
10 ~~Department of Correction School District~~ in excess of the line item  
11 appropriation provided to the Corrections School District in the Public  
12 School Fund.

13 (b) In view of the role, duties, and responsibilities of the  
14 Department of Correction and the Department of Community Correction as a  
15 penal and correctional ~~institution~~ institutions, shall not be required to  
16 meet nor shall the inability of the ~~Department of Correction~~ Corrections  
17 School District to meet the full statutory requirements ~~of~~ and the rules and  
18 regulations of ~~the quality education standards promulgated by the State Board~~  
19 ~~of Education pursuant to §§ 6-15-201, 6-15-203, § 6-15-901 et seq, 6-15-2001~~  
20 ~~through 6-15-2008, 6-15-2101 through 6-15-2107, 6-15-2201, 6-15-2301, 6-20-~~  
21 ~~1901 et seq, and 6-20-2201 et seq. § 6-15-204 [repealed], § 6-15-205~~  
22 ~~[repealed], § 6-15-206, former § 6-15-207 [repealed], and § 6-15-211~~  
23 ~~[repealed],~~ and other laws and regulations of the state pertaining to Quality  
24 Education Standards of 2003 shall, in no way, penalize or jeopardize the  
25 eligibility of the ~~Department of Correction~~ Corrections School District to  
26 receive state grants and aids for public school districts as authorized in  
27 this subchapter.

28  
29 SECTION 4. Arkansas Code 12-29-306 is amended to read as follows:

30 12-29-306. Riverside Vocational and Technical School - Legislative  
31 intent.

32 (a) This section and §§ 12-29-307 - 12-29-310 are intended to create  
33 an additional state vocational and technical school to provide vocational and  
34 technical education and training opportunities to qualified persons  
35 incarcerated in facilities of the Department of Correction and the Department  
36 of Community Correction or to qualified persons supervised by the Department

1 of Community Correction including those on probation and parole or any type  
 2 of post prison release or transfer.

3 (b) This section is not intended to modify or repeal any of the laws  
 4 of this state pertaining to vocational and technical schools or vocational  
 5 and technical education.

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 7 SECTION 5. Arkansas Code 12-29-307 is amended to read as follows:

8 12-29-307. Riverside Vocational and Technical School - Establishment.

9 There is established a state vocational and technical school, to be  
 10 known as the "Riverside Vocational and Technical School", to be operated by  
 11 the State Board of Workforce Education and Career Opportunities within the  
 12 Department of Correction and the Department of Community Correction at such  
 13 facilities thereof as may be designated by the Department of Workforce  
 14 Education in cooperation and agreement with the Board of Corrections.

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 16 SECTION 6. Arkansas Code 12-29-308 is amended to read as follows:

17 12-29-308. Riverside Vocational and Technical School - Purpose.

18 The Riverside Vocational and Technical School is created for the  
 19 purpose of providing vocational and technical educational opportunities to  
 20 ~~all~~ qualified persons incarcerated in facilities of the Department of  
 21 Correction ~~facilities~~ and the Department of Community Correction including  
 22 qualified persons supervised by the Department of Community Correction  
 23 including those on probation and parole or any type of post prison release or  
 24 transfer who would be qualified to receive vocational and technical education  
 25 and training in state vocational and technical schools established by the  
 26 State Board of Workforce Education and Career Opportunities under the  
 27 provisions of §§ 6-51-201 - 6-51-203, 6-51-205, 6-51-207 - 6-51-210, and  
 28 other laws of this state relative to vocational and technical schools.

29  
 30 SECTION 7. Arkansas Code 12-29-309 is amended to read as follows:

31 12-29-309. Riverside Vocational and Technical School - Facilities -  
 32 Operations - Rules and regulations.

33 (a) For the purpose of enabling the Department of Correction and the  
 34 Department of Community Correction to fulfill ~~its~~ their legal  
 35 responsibilities as ~~a~~ correctional ~~institution~~ institutions, the State Board  
 36 of Workforce Education and Career Opportunities shall locate facilities and

1 operate vocational education programs within the Riverside Vocational and  
 2 Technical School under such agreements, and subject to such special rules and  
 3 regulations, as are deemed appropriate for the operation of a vocational and  
 4 technical school program on the facilities of correctional institutions under  
 5 the control of the ~~department~~ Department of Correction and the Department of  
 6 Community Correction in accordance with agreements, rules, and regulations  
 7 mutually developed and agreed to by the State Board of Workforce Education  
 8 and Career Opportunities and the Board of Corrections.

9 (b) The school shall be entitled to all funds, rights, and  
 10 privileges and shall be operated in the same manner as other area vocational  
 11 and technical schools are operated in this state, but shall be operated in  
 12 accordance with the special rules and regulations for the operation of such  
 13 vocational and technical school program on facilities of the ~~department~~  
 14 Department of Correction and the Department of Community Correction as  
 15 provided in §§ 12-29-306 - 12-29-310.

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 17 SECTION 8. Arkansas Code 12-29-310 is amended to read as follows:

18 12-29-310. Riverside Vocational and Technical School - Cost of  
 19 implementation and operation.

20 (a) The cost of implementing and operating the Riverside Vocational  
 21 and Technical School at facilities of the Department of Correction and the  
 22 Department of Community Correction as authorized by this section and §§ 12-  
 23 29-306 - 12-29-309, shall be borne by the state and shall be paid from funds  
 24 appropriated by the General Assembly to the Riverside Vocational and  
 25 Technical School, the Department of Workforce Education, ~~and to the~~  
 26 Department of Correction, and to the Department of Community Correction,  
 27 together with any federal funds that may be available for such purpose in the  
 28 following manner:

29 (1) The cost of facilities and equipment in excess of the amount  
 30 of moneys provided by the Riverside Vocational and Technical School and the  
 31 Department of Workforce Education shall be borne by the Department of  
 32 Correction and the Department of Community Correction as approved by the  
 33 Board of Corrections; and

34 ~~(2)(A) The Department of Workforce Education shall allocate to~~  
 35 ~~the Riverside Vocational and Technical School such funds as are appropriated~~  
 36 ~~or authorized by the General Assembly for allocation to such Riverside~~

~~Vocational and Technical School as may be provided by law.~~

~~(B) (2) This section and §§ 12-29-306 - 12-29-309 contemplates that the Department of Correction and the Department of Community Correction will provide facilities for the vocational and technical education program operated by the Riverside Vocational and Technical School, but nothing in this section and §§ 12-29-306 - 12-29-309 shall prohibit the State Board of Workforce Education and Career Opportunities from providing facilities or sharing in the cost of facilities and for providing or sharing in the cost of repairing, maintenance, and upkeep of the buildings and facilities with the Department of Correction and the Department of Community Correction as funds are provided by the General Assembly, or are otherwise available therefor.~~

~~(b) Equipping of the facilities used by Riverside Vocational and Technical School shall be provided by the Department of Workforce Education in the same manner as provided for other area vocational technical schools of the state.~~

~~(c)(1) The vocational and technical school program to be operated at the Department of Correction shall be in addition to vocational and technical opportunities provided by the Department of Correction School District.~~

~~(2) Nothing in §§ 12-29-306 - 12-29-310 shall prohibit or limit the Department of Correction School District and the Riverside Vocational and Technical School from sharing in the providing of vocational and technical programs and the cost thereof, provided that accounts and records are maintained to allocate to each school its appropriate share of such cost.~~

(b) The Riverside Vocational and Technical School shall be administered under the direction and supervision of the chief administrative officer of the Corrections School District under the direct authority of the Board of Directors of the Corrections School District.

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