

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 87th General Assembly  
3 Regular Session, 2009

# A Bill

SENATE BILL 337

4  
5 By: Senators Faris, Broadway  
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7

## For An Act To Be Entitled

8  
9 AN ACT TO PROVIDE FACILITIES FUNDING FOR THE  
10 ARKANSAS SCHOOL FOR THE BLIND AND THE ARKANSAS  
11 SCHOOL FOR THE DEAF; AND FOR OTHER PURPOSES.  
12

## Subtitle

13  
14 TO PROVIDE FACILITIES FUNDING FOR THE  
15 ARKANSAS SCHOOL FOR THE BLIND AND THE  
16 ARKANSAS SCHOOL FOR THE DEAF.  
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. FINDINGS. The General Assembly finds that:

22 (1) The Arkansas School for the Blind and the Arkansas School  
23 for the Deaf provide education and housing for many students with special  
24 needs who are not served by public school districts;

25 (2) The Arkansas School for the Blind and the Arkansas School  
26 for the Deaf provide the only access to a free public education for many of  
27 their students under § 6-43-105(a);

28 (3) The facilities on the campuses of the Arkansas School for  
29 the Blind and the Arkansas School for the Deaf may need to include without  
30 limitation:

31 (A) Dormitories for students who live in other areas of  
32 the state; and

33 (B) Walkways, lifts, elevators, and other specialized  
34 equipment to accommodate multiple disabilities; and

35 (4) Because of the nature of the special mission and  
36 constitutional requirements for the Arkansas School for the Blind and the



1 Arkansas School for the Deaf, this act shall not:

2 (A) Amend existing law concerning public school academic  
 3 facilities operated by public school districts;

4 (B) Be construed to require public school districts to  
 5 provide the same facilities for public schools as provided under this act for  
 6 the Arkansas School for the Blind and the Arkansas School for the Deaf; or

7 (C) Be construed to require funding for the facilities of  
 8 the Arkansas School for the Blind or the Arkansas School for the Deaf under  
 9 the Arkansas Public School Academic Facilities Funding Act, § 6-20-2501 et  
 10 seq. or the Arkansas Public School Academic Facilities Financing Act of 2007,  
 11 §6-20-2601 et seq.

12  
 13 SECTION 2. Arkansas Code § 6-43-207 is amended to read as follows:  
 14 6-43-207. Approval of building expenditures.

15 (a) As used in this section:

16 (1) "Facilities" means the physical plant and related areas  
 17 owned or operated by the Arkansas School for the Blind, including without  
 18 limitation:

19 (A) Academic and administrative buildings;

20 (B) Dormitories;

21 (C) Grounds;

22 (D) Lifts and elevators;

23 (E) Walkways;

24 (F) Utilities infrastructure; and

25 (G) Other specialized equipment for students with  
 26 disabilities related to the facilities listed in this subdivision; and

27 (2) "Facilities project" means the maintenance, repair,  
 28 renovation, or construction of facilities.

29 (b) Expenditures for building purposes a facilities project shall not  
 30 be made for the benefit of the school unless the expenditure shall be is  
 31 ~~recommended~~ approved by the Board of Trustees of the Arkansas School for the  
 32 Blind.

33 (c) The board shall report annually to the Academic Facilities  
 34 Oversight Committee on the estimated cost of facilities projects needed for  
 35 the school to provide facilities that afford a substantially equal  
 36 opportunity for an adequate education for the students served by the school.

1           (d)(1) In the annual report, the board may request up to ten million  
 2 dollars (\$10,000,000) per year in state funding for the facilities projects  
 3 identified in the annual report.

4           (2) The amount of state funding provided for the facilities  
 5 projects requested in the annual report shall not exceed the annual limit  
 6 under subdivision (d)(1) of this section unless the Academic Facilities  
 7 Oversight Committee and the Governor:

8                   (A) Agree to an amount of funding that exceeds the limit;  
 9 and

10                   (B) Jointly recommend that amount to the General Assembly.

11           (e) The board may include in the annual report for planning purposes  
 12 facilities projects that it anticipates will be needed in the long term but  
 13 that are not included in the funding request.

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 15           SECTION 3. Arkansas Code § 6-43-303 is amended to read as follows:  
 16           6-43-303. Rent, construction, or repair of facilities.

17                   (a) As used in this section:

18                   (1) "Facilities" means the physical plant and related areas  
 19 owned or operated by the Arkansas School for the Deaf, including without  
 20 limitation:

21                           (A) Academic and administrative buildings;

22                           (B) Dormitories;

23                           (C) Grounds;

24                           (D) Lifts and elevators;

25                           (E) Walkways; and

26                           (F) Utilities infrastructure; and

27                   (2) "Facilities project" means the maintenance, repair,  
 28 renovation, or construction of facilities.

29           (b) The Board of Trustees of the Arkansas School for the Deaf shall  
 30 have power to may make all contracts for the rent, maintenance, repair,  
 31 renovation, or construction and repair of any building and appurtenances  
 32 belonging to or used by the school facilities needed for the operation of the  
 33 school.

34           (c) The board shall report annually to the Academic Facilities  
 35 Oversight Committee on the estimated cost of facilities projects needed for  
 36 the school to provide facilities that afford a substantially equal

1 opportunity for an adequate education for the students served by the school.

2 (d)(1) In the annual report, the board may request up to ten million  
3 dollars (\$10,000,000) per year in state funding for the facilities projects  
4 identified in the annual report.

5 (2) The amount of state funding provided for the facilities  
6 projects requested in the annual report shall not exceed the annual limit  
7 under subdivision (d)(1) of this section unless the Academic Facilities  
8 Oversight Committee and the Governor:

9 (A) Agree to an amount of funding that exceeds the limit;  
10 and

11 (B) Jointly recommend that amount to the General Assembly.

12 (e) The board may include in the annual report for planning purposes  
13 facilities projects that it anticipates will be needed in the long term but  
14 that are not included in the funding request.

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