

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1810

5 By: Representative Carnine
6 By: Senator Rapert
7

For An Act To Be Entitled

9 AN ACT TO REPEAL CERTAIN PROVISIONS OF TITLE 6 OF THE
10 ARKANSAS CODE RELATING TO EDUCATION BOARDS AND
11 COMMISSIONS; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO REPEAL CERTAIN PROVISIONS OF TITLE 6
16 OF THE ARKANSAS CODE RELATING TO
17 EDUCATION BOARDS AND COMMISSIONS.
18
19

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

22 SECTION 1. Arkansas Code § 6-1-102 is repealed.

23 ~~6-1-103. State boards to meet.~~

24 ~~The State Board of Education, the Arkansas Higher Education~~
25 ~~Coordinating Board, and the State Board of Workforce Education and Career~~
26 ~~Opportunities shall meet at least once annually or more often as necessary in~~
27 ~~a joint meeting to address matters which will assist the furtherance of~~
28 ~~excellence of education in this state and increase coordination among the~~
29 ~~three (3) boards.~~
30

31 SECTION 2. Title 6, Chapter 1, Subchapter 5, of the Arkansas Code is
32 repealed.

33 ~~SUBCHAPTER 5 — THE ARKANSAS PROJECT GRADUATION COMMISSION~~

34 ~~6-1-501. Findings.~~

35 ~~The General Assembly finds that:~~

36 ~~(1) Graduation rates are an:~~



- 1 ~~(A) Important economic indicator for the state's economy; and~~
- 2 ~~(B) Essential indicator of school performance for parents,~~
- 3 ~~policy makers, and other concerned community members;~~
- 4 ~~(2) Arkansans who fail to earn a high school diploma or postsecondary~~
- 5 ~~degree are:~~
- 6 ~~(A) At a great disadvantage when it comes to obtaining:~~
- 7 ~~(i) High paying jobs; and~~
- 8 ~~(ii) Health care; and~~
- 9 ~~(B) More likely to:~~
- 10 ~~(i) Become parents at a young age; and~~
- 11 ~~(ii) Be involved in the criminal justice system; and~~
- 12 ~~(3) Low graduation rates adversely affect the economic opportunities~~
- 13 ~~of the state and decrease the state's competitive edge.~~

14

15 ~~6-1-502. Purpose.~~

16 ~~The purpose of the Arkansas Project Graduation Commission is to:~~

- 17 ~~(1) Investigate high school dropout prevention strategies;~~
- 18 ~~(2) Analyze the relationship between high school graduation rates and~~
- 19 ~~the state's economy; and~~
- 20 ~~(3) Recommend strategies that will increase the overall high school~~
- 21 ~~graduation rate of Arkansas students by helping parents, schools, and~~
- 22 ~~students identify academic warning signs of dropout.~~

23

24 ~~6-1-503. Arkansas Project Graduation Commission.~~

25 ~~(a) There is created the "Arkansas Project Graduation Commission".~~

26 ~~(b) The commission is composed of the following members:~~

- 27 ~~(1) Three (3) members appointed by the Governor, one (1) of whom~~
- 28 ~~shall act as the chair of the commission;~~
- 29 ~~(2) Three (3) members appointed by the Speaker of the House of~~
- 30 ~~Representatives;~~
- 31 ~~(3) Three (3) members appointed by the President Pro Tempore of~~
- 32 ~~the Senate;~~
- 33 ~~(4) The Commissioner of Education or his or her designee;~~
- 34 ~~(5) The Director of the Department of Higher Education or his or~~
- 35 ~~her designee; and~~
- 36 ~~(6) The Director of the Department of Career Education or his or~~

1 her designee.

2 (c) ~~Each member of the commission shall be a resident of the State of~~
3 ~~Arkansas throughout his or her term.~~

4 (d) ~~The appointed members of the commission shall serve staggered~~
5 ~~terms of three (3) years to be decided by a random draw at the first meeting~~
6 ~~of the commission with:~~

7 (1) ~~Four (4) members serving terms of three (3) years;~~

8 (2) ~~Four (4) members serving terms of two (2) years; and~~

9 (3) ~~Four (4) members serving a term of one (1) year.~~

10 (e) ~~If a vacancy occurs in an appointed position, the vacancy shall be~~
11 ~~filled for the unexpired term by an appointment made in the same manner as~~
12 ~~the original appointment.~~

13
14 ~~6-1-504.—Organization and operation.~~

15 (a) ~~The Arkansas Project Graduation Commission shall elect annually a~~
16 ~~chair, a vice chair, and a secretary.~~

17 (b) ~~The commission shall meet one (1) time each month, rotating~~
18 ~~meeting locations between the:~~

19 (1) ~~Department of Education;~~

20 (2) ~~Department of Higher Education; and~~

21 (3) ~~Department of Career Education.~~

22 (c) ~~A majority of the commission members constitute a quorum for~~
23 ~~conducting business.~~

24 (d) ~~The Department of Education shall provide staff support for the~~
25 ~~commission.~~

26 (e)(1) ~~The members of the commission may receive an expense~~
27 ~~reimbursement for attendance at each monthly meeting in accordance with § 25-~~
28 ~~16-902.~~

29 (2) ~~The expense reimbursement shall be paid by the Department of~~
30 ~~Education from funds available for that purpose.~~

31
32 ~~6-1-505.—Report.~~

33 (a) ~~The Arkansas Project Graduation Commission shall report by~~
34 ~~November 1, 2009, and each year thereafter, to the House Committee on~~
35 ~~Education and the Senate Committee on Education.~~

36 (b) ~~The report shall contain without limitation:~~

1 ~~(1) Information on:~~
 2 ~~(A) High school graduation rates in the state; and~~
 3 ~~(B) Postsecondary graduation rates in the state;~~
 4 ~~(2) Effective strategies for increasing the:~~
 5 ~~(A) High school graduation rate; and~~
 6 ~~(B) Postsecondary degree completion rate; and~~
 7 ~~(3) The impact high school graduation rates and postsecondary~~
 8 ~~degree completion rates have on the state's economy.~~

9
 10 SECTION 3. Title 6, Chapter 4, Subchapter 2, of the Arkansas Code is
 11 repealed.

12 ~~SUBCHAPTER 2 — COMPACT FOR EDUCATION~~

13 ~~6-4-201. Text of compact.~~

14 ~~The Compact for Education is entered into and enacted into law with all~~
 15 ~~jurisdictions legally joined therein, in the form substantially as follows:~~

16
 17 ~~COMPACT FOR EDUCATION~~

18 ~~ARTICLE I. Purpose and Policy~~

19
 20 ~~A. It is the purpose of this compact to:~~
 21 ~~1. Establish and maintain close cooperation and~~
 22 ~~understanding among executive, legislative, professional educational and lay~~
 23 ~~leadership on a nationwide basis at the state and local levels;~~
 24 ~~2. Provide a forum for the discussion, development,~~
 25 ~~crystallization, and recommendation of public policy alternatives in the~~
 26 ~~field of education;~~
 27 ~~3. Provide a clearinghouse of information on matters~~
 28 ~~relating to educational problems and how they are being met in different~~
 29 ~~places throughout the nation, so that the executive and legislative branches~~
 30 ~~of state government and of local communities may have ready access to the~~
 31 ~~experience and record of the entire country, and so that both lay and~~
 32 ~~professional groups in the field of education may have additional avenues for~~
 33 ~~the sharing of experience and the interchange of ideas in the formation of~~
 34 ~~public policy in education;~~
 35 ~~4. Facilitate the improvement of state and local~~
 36 ~~educational systems so that all of them will be able to meet adequate and~~

1 ~~desirable goals in a society which requires continuous qualitative and~~
2 ~~quantitative advance in educational opportunities, methods, and facilities.~~

3 ~~B.—It is the policy of this compact to encourage and promote~~
4 ~~local and state initiative in the development, maintenance, improvement, and~~
5 ~~administration of educational systems and institutions in a manner which will~~
6 ~~accord with the needs and advantages of diversity among localities and~~
7 ~~states.~~

8 ~~G.—The party states recognize that each of them has an interest~~
9 ~~in the quality and quantity of education furnished in each of the other~~
10 ~~states, as well as in the excellence of its own educational systems and~~
11 ~~institutions, because of the highly mobile character of individuals within~~
12 ~~the nation and because the products and services contributing to the health,~~
13 ~~welfare, and economic advancement of each state are supplied in significant~~
14 ~~part by persons educated in other states.~~

15
16 ~~ARTICLE II.—State Defined~~

17
18 ~~As used in this compact, “state” means a state, territory, or~~
19 ~~possession of the United States, the District of Columbia, or the~~
20 ~~Commonwealth of Puerto Rico.~~

21
22 ~~ARTICLE III.—The Commission~~

23
24 ~~A.—The Education Commission of the states, hereafter called “the~~
25 ~~commission,” is hereby established. The commission shall consist of seven (7)~~
26 ~~members representing each party state. One (1) of such members shall be the~~
27 ~~Governor; two (2) shall be members of the state legislature selected by its~~
28 ~~respective houses and serving in such manner as the legislature may~~
29 ~~determine; and four (4) shall be appointed by and serve at the pleasure of~~
30 ~~the Governor, unless the laws of the state otherwise provide. If the laws of~~
31 ~~a state prevent legislators from serving on the commission, six (6) members~~
32 ~~shall be appointed and serve at the pleasure of the Governor, unless the laws~~
33 ~~of the state otherwise provide. In addition to any other principles or~~
34 ~~requirements which a state may establish for the appointment and service of~~
35 ~~its members of the commission, the guiding principle for the composition of~~
36 ~~the membership on the commission from each party state shall be that the~~

1 ~~members representing such state shall, by virtue of their training,~~
2 ~~experience, knowledge, or affiliations, be in a position collectively to~~
3 ~~reflect broadly the interests of the state government, higher education, the~~
4 ~~state education system, local education, lay and professional, public and~~
5 ~~nonpublic educational leadership. Of those appointees, one (1) shall be the~~
6 ~~head of a state agency or institution, designated by the Governor, having~~
7 ~~responsibility for one (1) or more programs of public education. In addition~~
8 ~~to the members of the commission representing the party states, there may be~~
9 ~~not to exceed ten (10) nonvoting commissioners selected by the steering~~
10 ~~committee for terms of one (1) year. Such commissioners shall represent~~
11 ~~leading national organizations of professional educators or persons concerned~~
12 ~~with educational administration.~~

13 ~~B. The members of the commission shall be entitled to one (1)~~
14 ~~vote each on the commission. No action of the commission shall be binding~~
15 ~~unless taken at a meeting at which a majority of the total number of votes on~~
16 ~~the commission are cast in favor thereof. Action of the commission shall be~~
17 ~~only at a meeting at which a majority of the commissioners are present. The~~
18 ~~commission shall meet at least once a year. In its bylaws and subject to such~~
19 ~~directions and limitations as may be contained therein, the commission may~~
20 ~~delegate the exercise of any of its powers to the steering committee or the~~
21 ~~Executive Director, except for the power to approve budgets or requests for~~
22 ~~appropriations, the power to make policy recommendations pursuant to Article~~
23 ~~IV, and adoption of the annual report pursuant to Article III-J.~~

24 ~~C. The commission shall have a seal.~~

25 ~~D. The commission shall elect annually, from among its members,~~
26 ~~a chairman, who shall be a Governor, a vice chairman, and a treasurer. The~~
27 ~~commission shall provide for the appointment of an executive director. Such~~
28 ~~executive director shall serve at the pleasure of the commission, and~~
29 ~~together with the treasurer and such other personnel as the commission may~~
30 ~~deem appropriate shall be bonded in such amount as the commission shall~~
31 ~~determine. The executive director shall be secretary.~~

32 ~~E. Irrespective of the civil service, personnel, or other merit~~
33 ~~system laws of any of the party states, the executive director subject to the~~
34 ~~approval of the steering committee shall appoint, remove, or discharge such~~
35 ~~personnel as may be necessary for the performance of the functions of the~~
36 ~~commission and shall fix the duties and compensation of such personnel. The~~

1 ~~commission in its bylaws shall provide for the personnel policies and~~
2 ~~programs of the commission.~~

3 ~~F. The commission may borrow, accept, or contract for the~~
4 ~~services of personnel from any party jurisdiction, the United States, or any~~
5 ~~subdivision or agency of the aforementioned governments, or from any agency~~
6 ~~of two (2) or more of the party jurisdictions or their subdivisions.~~

7 ~~G. The commission may accept for any of its purposes and~~
8 ~~functions under this compact any and all donations, and grants of money,~~
9 ~~equipment, supplies, materials, and services, conditional or otherwise, from~~
10 ~~any state, the United States, or any other governmental agency, or from any~~
11 ~~person, firm, association, foundation, or corporation, and may receive,~~
12 ~~utilize, and dispose of the same. Any donation or grant accepted by the~~
13 ~~commission pursuant to this paragraph or services borrowed pursuant to~~
14 ~~paragraph F of this Article shall be reported in the annual report of the~~
15 ~~commission. Such report shall include the nature, amount, and conditions, if~~
16 ~~any, of the donation, grant, or services borrowed, and the identity of the~~
17 ~~donor or lender.~~

18 ~~H. The commission may establish and maintain such facilities as~~
19 ~~may be necessary for the transacting of its business. The commission may~~
20 ~~acquire, hold, and convey real and personal property and any interest~~
21 ~~therein.~~

22 ~~I. The commission shall adopt bylaws for the conduct of its~~
23 ~~business and shall have the power to amend and rescind these bylaws. The~~
24 ~~commission shall publish its bylaws in convenient form and shall file a copy~~
25 ~~thereof and a copy of any amendment thereto, with the appropriate agency or~~
26 ~~officer in each of the party states.~~

27 ~~J. The commission annually shall make to the Governor and~~
28 ~~legislature of each party state a report covering the activities of the~~
29 ~~commission for the preceding year. The commission may make such additional~~
30 ~~reports as it may deem desirable.~~

31
32 ~~ARTICLE IV. Powers~~

33
34 ~~In addition to authority conferred on the commission by other~~
35 ~~provisions of the compact, the commission shall have authority to:~~

36 ~~1. Collect, correlate, analyze, and interpret information~~

1 ~~and data concerning educational needs and resources;~~

2 ~~2.—Encourage and foster research in all aspects of~~
3 ~~education, but with special reference to the desirable scope of instruction,~~
4 ~~organization, administration, and instructional methods and standards~~
5 ~~employed or suitable for employment in public educational systems;~~

6 ~~3.—Develop proposals for adequate financing of education~~
7 ~~as a whole and at each of its many levels;~~

8 ~~4.—Conduct or participate in research of the types~~
9 ~~referred to in this Article in any instance where the commission finds that~~
10 ~~such research is necessary for the advancement of the purposes and policies~~
11 ~~of this compact, utilizing fully the resources of national associations,~~
12 ~~regional compact organizations for higher education, and other agencies and~~
13 ~~institutions, both public and private;~~

14 ~~5.—Formulate suggested policies and plans for the~~
15 ~~improvement of public education as a whole, or for any segment thereof, and~~
16 ~~make recommendations with respect thereto available to the appropriate~~
17 ~~governmental units, agencies, and public officials;~~

18 ~~6.—Do such other things as may be necessary or incidental~~
19 ~~to the administration of any of its authority or functions pursuant to this~~
20 ~~compact.~~

21
22 ~~ARTICLE V.—Cooperation with Federal Government~~

23
24 ~~A.—If the laws of the United States specifically so provide, or~~
25 ~~if administrative provision is made therefor within the federal government,~~
26 ~~the United States may be represented on the commission by not to exceed ten~~
27 ~~(10) representatives. Any such representative or representatives of the~~
28 ~~United States shall be appointed and serve in such manner as may be provided~~
29 ~~by or pursuant to federal law, and may be drawn from any one (1) or more~~
30 ~~branches of the federal government, but no such representative shall have a~~
31 ~~vote on the commission.~~

32 ~~B.—The commission may provide information and make~~
33 ~~recommendations to any executive or legislative agency or officer of the~~
34 ~~federal government concerning the common educational policies of the states~~
35 ~~and may advise with any such agencies or officers concerning any matter of~~
36 ~~mutual interest.~~

1
2 ARTICLE VI.—Committees
3

4 A.—~~To assist in the expeditious conduct of its business when the~~
5 ~~full commission is not meeting, the commission shall elect a steering~~
6 ~~committee of thirty-two (32) members which, subject to the provisions of this~~
7 ~~compact and consistent with the policies of the commission, shall be~~
8 ~~constituted and function as provided in the bylaws of the commission. One-~~
9 ~~fourth ($\frac{1}{4}$) of the voting membership of the steering committee shall consist~~
10 ~~of Governors, one-fourth ($\frac{1}{4}$) shall consist of legislators, and the remainder~~
11 ~~shall consist of other members of the commission. A federal representative on~~
12 ~~the commission may serve with the steering committee, but without vote. The~~
13 ~~voting members of the steering committee shall serve for terms of two (2)~~
14 ~~years, except that members elected to the first steering committee of the~~
15 ~~commission shall be elected as follows: sixteen (16) for one (1) year and~~
16 ~~sixteen (16) for two (2) years. The chairman, vice chairman, and treasurer of~~
17 ~~the commission shall be members of the steering committee and, anything in~~
18 ~~this paragraph to the contrary notwithstanding, shall serve during their~~
19 ~~continuance in these offices. Vacancies in the steering committee shall not~~
20 ~~affect its authority to act, but the commission at its next regularly ensuing~~
21 ~~meeting following the occurrence of any vacancy shall fill it for the~~
22 ~~unexpired term. No person shall serve more than two (2) terms as a member of~~
23 ~~the steering committee; provided that service for a partial term of one (1)~~
24 ~~year or less shall not be counted toward the two-term limitation.~~

25 B.—~~The commission may establish advisory and technical~~
26 ~~committees composed of state, local, and federal officials, and private~~
27 ~~persons to advise it with respect to any one (1) or more of its functions.~~
28 ~~Any advisory or technical committee may, on request of the states concerned,~~
29 ~~be established to consider any matter of special concern to two (2) or more~~
30 ~~of the party states.~~

31 C.—~~The commission may establish such additional committees as~~
32 ~~its bylaws may provide.~~

33
34 ARTICLE VII.—Finance
35

36 A.—~~The commission shall advise the Governor or designated~~

1 officer or officers of each party state of its budget and estimated
2 expenditures for such period as may be required by the laws of that party
3 state. Each of the commission's budgets of estimated expenditures shall
4 contain specific recommendations of the amount or amounts to be appropriated
5 by each of the party states.

6 B.—The total amount of appropriation requests under any budget
7 shall be apportioned among the party states. In making such apportionment,
8 the commission shall devise and employ a formula which takes equitable
9 account of the populations and per capita income levels of the party states.

10 G.—The commission shall not pledge the credit of any party
11 states. The commission may meet any of its obligations in whole or in part
12 with funds available to it pursuant to Article III-G of this compact,
13 provided that the commission takes specific action setting aside such funds
14 prior to incurring an obligation to be met in whole or in part in such
15 manner. Except where the commission makes use of funds available to it
16 pursuant to Article III-G thereof, the commission shall not incur any
17 obligation prior to the allotment of funds by the party states adequate to
18 meet the same.

19 D.—The commission shall keep accurate accounts of all receipts
20 and disbursements. The receipts and disbursements of the commission shall be
21 subject to the audit and accounting procedures established by its bylaws.
22 However, all receipts and disbursements of funds handled by the commission
23 shall be audited yearly by a qualified public accountant, and the report of
24 the audit shall be included in and become part of the annual reports of the
25 commission.

26 E.—The accounts of the commission shall be open at any
27 reasonable time for inspection by duly constituted officers of the party
28 states and by any persons authorized by the commission.

29 F.—Nothing contained herein shall be construed to prevent
30 commission compliance with laws relating to audit or inspection of accounts
31 by or on behalf of any government contributing to the support of the
32 commission.

33
34 ARTICLE VIII.—Eligible Parties; Entry into and Withdrawal

35
36 A.—This compact shall have as eligible parties all states,

1 territories, and possessions of the United States, the District of Columbia,
2 and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not
3 having a Governor, the term "Governor," as used in this compact, shall mean
4 the closest equivalent official of such jurisdiction.

5 B. Any state or other eligible jurisdiction may enter into this
6 compact and it shall become binding thereon when it has adopted the same;
7 provided that in order to enter into initial effect, adoption by at least ten
8 (10) eligible party jurisdictions shall be required.

9 C. Adoption of the compact may be either by enactment thereof or
10 by adherence thereto by the Governor; provided that in the absence of
11 enactment, adherence by the Governor shall be sufficient to make his state a
12 party only until December 31, 1967. During any period when a state is
13 participating in this compact through gubernatorial action, the Governor
14 shall appoint those persons who, in addition to himself, shall serve as the
15 members of the commission from his state, and shall provide to the commission
16 an equitable share of the financial support of the commission from any source
17 available to him.

18 D. Except for a withdrawal effective on December 31, 1967, in
19 accordance with paragraph C of this Article, any party state may withdraw
20 from this compact by enacting a statute repealing the same, but no such
21 withdrawal shall take effect until one (1) year after the Governor of the
22 withdrawing state has given notice in writing of the withdrawal to the
23 Governors of all other party states. No withdrawal shall affect any liability
24 already incurred by or chargeable to a party state prior to the time of such
25 withdrawal.

26 27 ARTICLE IX.—Construction and Severability

28
29 This compact shall be liberally construed so as to effectuate the
30 purposes thereof. The provisions of this compact shall be severable and if
31 any phrase, clause, sentence, or provision of this compact is declared to be
32 contrary to the constitution of any state or of the United States, or the
33 applicability thereof to any government, agency, person, or circumstance is
34 held invalid, the validity of the remainder of this compact and the
35 applicability thereof to any government, agency, person, or circumstance
36 shall not be affected thereby. If this compact shall be held contrary to the

1 ~~constitution of any state participating therein, the compact shall remain in~~
2 ~~full force and effect as to the state affected as to all severable matters.~~

3
4 ~~6-4-202. Compact for Education Commissioners of Arkansas.~~

5 ~~(a) The seven (7) members to represent the State of Arkansas on the~~
6 ~~Education Commission of the states authorized in Article III of the Compact~~
7 ~~for Education, § 6-4-201, shall be known and designated as the "Compact for~~
8 ~~Education Commissioners of Arkansas".~~

9 ~~(b) The members of the commission shall consist of the following~~
10 ~~members:~~

11 ~~(1) The Governor of the State of Arkansas, who shall serve as~~
12 ~~chair thereof;~~

13 ~~(2) One (1) member of the House of Representatives to be~~
14 ~~designated by the Speaker of the House and one (1) member of the Senate of~~
15 ~~the State of Arkansas to be designated by the President of the Senate, each~~
16 ~~of whom shall serve until the next regular biennial session of the General~~
17 ~~Assembly at which their successors shall be designated in the same manner;~~

18 ~~(3) The Commissioner of Education;~~

19 ~~(4) One (1) member of the Arkansas Higher Education Coordinating~~
20 ~~Board, to be designated by the Governor, to serve a term of two (2) years;~~
21 ~~and~~

22 ~~(5) Two (2) additional members, to be appointed by the Governor,~~
23 ~~who are residents of this state and who have demonstrated interest in public~~
24 ~~education. Such two (2) appointed members shall serve staggered terms of two~~
25 ~~(2) years.~~

26 ~~(c) The Commissioner of Education shall serve ex officio as secretary~~
27 ~~of the members of the commission, and the members of the commission may elect~~
28 ~~additional officers as deemed appropriate.~~

29 ~~(d) The Compact for Education Commissioners of Arkansas shall meet on~~
30 ~~the call of its chair or at the request in writing of the majority of its~~
31 ~~members.~~

32 ~~(e) The members of the commission may consider any and all matters~~
33 ~~relating to public education policies and any matters relating to~~
34 ~~recommendations of the Education Commission of the States and the activities~~
35 ~~of the members in representing this state thereon.~~

36 ~~(f) The members of the commission shall serve without pay, provided~~

1 that they may receive expense reimbursement in accordance with § 25-16-901 et
2 seq.

3 ~~(g) In the event of the death or resignation of any member of the~~
4 ~~commission, his or her successor shall be chosen in the same manner as~~
5 ~~provided herein for his or her original designation or appointment.~~

6 ~~(h) In the event the courts of this state may hold that the membership~~
7 ~~of any members on the commission is contrary to the laws of this state, the~~
8 ~~Governor may appoint successors for such members who shall be residents of~~
9 ~~this state and who have demonstrated interest in public education. Such~~
10 ~~successor members shall serve the same term as provided herein for the~~
11 ~~members they replace.~~

12
13 ~~6-4-203. Filing of bylaws.~~

14 ~~Pursuant to Article III-I of the Compact for Education, § 6-4-201, the~~
15 ~~Education Commission of the states shall file a copy of its bylaws and any~~
16 ~~amendment thereto with the Secretary of State, who shall file and retain the~~
17 ~~copy as a public document.~~

18
19 SECTION 4. Arkansas Code § 6-15-102(h), concerning the Arkansas Public
20 Schools Accountability Advisory Council, is repealed.

21 ~~(h)(1) There is created the Arkansas Public Schools Accountability~~
22 ~~Advisory Council, which shall begin operation within one hundred twenty (120)~~
23 ~~calendar days following June 3, 2004.~~

24 ~~(2) The membership of the council shall include:~~

25 ~~(A) One (1) member designated as chair to be selected by~~
26 ~~the Governor, who shall be a representative of Arkansas businesses;~~

27 ~~(B) One (1) member selected by the Governor, who shall be~~
28 ~~a representative of an educators' union in the State of Arkansas;~~

29 ~~(C) One (1) member selected by the Governor, who shall be~~
30 ~~a parent or guardian of at least one (1) student currently enrolled in grades~~
31 ~~kindergarten through twelve (K-12) in a public school in the State of~~
32 ~~Arkansas;~~

33 ~~(D) One (1) member selected by the Speaker of the House of~~
34 ~~Representatives, who shall be a representative of higher education;~~

35 ~~(E) One (1) member selected by the President Pro Tempore~~
36 ~~of the Senate, who shall be a representative of Arkansas businesses;~~

1 ~~(F) One (1) member selected by the Chair of the Senate~~
 2 ~~Committee on Education, who is currently employed as a teacher in grades~~
 3 ~~kindergarten through twelve (K-12) in a public school system in the State of~~
 4 ~~Arkansas; and~~

5 ~~(G) One (1) member selected by the Chair of the House~~
 6 ~~Committee on Education, who shall be a representative of the administration~~
 7 ~~of a public school in the State of Arkansas.~~

8 ~~(3) The council shall provide advice and consultation services~~
 9 ~~for the assistant commissioner.~~

10 ~~(4) The council may be convened by the chair of the council, by~~
 11 ~~the chair of the state board, or by the assistant commissioner.~~

12 ~~(5) Members shall not receive compensation for service on the~~
 13 ~~council but may receive expense reimbursement as provided in § 25-16-902.~~

14
 15 SECTION 5. The Arkansas Code Revision Commission shall redesignate
 16 Arkansas Code § 6-15-102, in light of the repeal of subsection (h).

17
 18 SECTION 6. Title 6, Chapter 15, Subchapter 18, of the Arkansas Code is
 19 repealed.

20 ~~SUBCHAPTER 18 — ARKANSAS PYGMALION COMMISSION ON NONTRADITIONAL~~
 21 ~~EDUCATION~~

22 ~~6-15-1801. — Purpose.~~

23 ~~(a) It is the purpose of the General Assembly through this subchapter~~
 24 ~~to focus public attention on the problems facing those Arkansas students not~~
 25 ~~being educated under the current public school system and on the need for~~
 26 ~~alternative learning environments to avoid the consequences to all Arkansans~~
 27 ~~that will result if nothing is done to better prepare these students.~~

28 ~~(b) The General Assembly believes that many of the problems can be~~
 29 ~~conquered. The key is recognizing and identifying how the system is failing a~~
 30 ~~child early enough to provide meaningful intervention and then adapting or~~
 31 ~~altering the system to meet a child's educational needs. Arkansas schools~~
 32 ~~exist solely for the benefit of the children, and the schools must adapt to~~
 33 ~~the children's educational needs.~~

34 ~~(c) The Arkansas Pygmalion Commission on Nontraditional Education will~~
 35 ~~act to focus public attention, as a clearinghouse for information regarding~~
 36 ~~alternative learning environments, and to ensure that needed changes are made~~

1 ~~in curriculum, instructional approaches, school climate, and organization to~~
 2 ~~improve educational outcomes for at-risk students.~~

3
 4 ~~6-15-1802.—Establishment of Arkansas Pygmalion Commission on~~
 5 ~~Nontraditional Education.~~

6 ~~(a)—The Arkansas Pygmalion Commission on Nontraditional Education is~~
 7 ~~established for purposes of, including, but not limited to, the following:~~

8 ~~(1)—Identifying and developing additional funding bases,~~
 9 ~~including such nontraditional sources to use in implementing intervention~~
 10 ~~services for students as private funds and grants, federal education funds~~
 11 ~~and grants, and sale of merchandise and services generated by alternative~~
 12 ~~education programs, that can be deployed in meeting the educational needs of~~
 13 ~~all Arkansas children;~~

14 ~~(2)—Conducting a study to determine the cost of various service~~
 15 ~~models and the relative cost-effectiveness of each;~~

16 ~~(3)—Identifying, in conjunction with school administrators~~
 17 ~~responsible for alternative learning environments, factors to consider in~~
 18 ~~determining the placement of students in alternative learning environments,~~
 19 ~~including, but not limited to, the following:~~

20 ~~(A)—Standardized test scores or assessment portfolios~~
 21 ~~which indicate that a student is nine (9) months or more behind grade level;~~

22 ~~(B)—The student's being one (1) year or more behind grade-~~
 23 ~~level peers in accumulating credits for graduation;~~

24 ~~(C)—Having been retained one (1) or more times;~~

25 ~~(D)—Recurring absences;~~

26 ~~(E)—Personal or family problems or situations that have~~
 27 ~~negatively affected the student's ability to function in school;~~

28 ~~(F)—Referrals for special education in which the student~~
 29 ~~is found not eligible for special education; and~~

30 ~~(G)—Suspension or expulsion within the previous or current~~
 31 ~~school semester;~~

32 ~~(4)—Forming guidelines whereby the public schools and other~~
 33 ~~agencies work collectively to implement a program for Arkansas children in~~
 34 ~~kindergarten through grade twelve (K-12) in both general education and~~
 35 ~~vocational education;~~

36 ~~(5)—Collecting and compiling research, information, and data~~

1 ~~regarding alternative and nontraditional methods for meeting the educational~~
 2 ~~needs of all Arkansas children and disseminating the research, information,~~
 3 ~~and data to the public schools; and~~

4 ~~(6) Recommending the implementation of both in-service and~~
 5 ~~university level courses designed to enhance the ability of a teacher or an~~
 6 ~~administrator to develop interventions that will meet the needs of students~~
 7 ~~identified for placement in an alternative or nontraditional learning~~
 8 ~~environment.~~

9 ~~(b) The commission shall utilize the proposed Department of Education~~
 10 ~~Rules and Regulations for Alternative Learning Environments, dated January~~
 11 ~~13, 1993.~~

12
 13 ~~6-15-1803. Members.~~

14 ~~(a) The Arkansas Pygmalion Commission on Nontraditional Education~~
 15 ~~shall be composed of sixteen (16) members who are currently serving as~~
 16 ~~members of the commission and who were appointed in the manner and to~~
 17 ~~represent various interests as follows:~~

18 ~~(1) One (1) member representing classroom teachers to be~~
 19 ~~recommended by the Arkansas Education Association and appointed by the~~
 20 ~~Governor;~~

21 ~~(2) One (1) member representing school district superintendents~~
 22 ~~to be recommended by the Arkansas Association of Educational Administrators~~
 23 ~~and appointed by the Governor;~~

24 ~~(3) One (1) member representing local school boards of directors~~
 25 ~~to be recommended by the Arkansas School Boards Association and appointed by~~
 26 ~~the Governor;~~

27 ~~(4) Two (2) members representing school principals with~~
 28 ~~alternative education experience to be recommended by the Arkansas~~
 29 ~~Association of Educational Administrators and appointed by the Governor;~~

30 ~~(5) One (1) member representing the Department of Health and~~
 31 ~~appointed by the Governor;~~

32 ~~(6) One (1) member representing the Department of Human Services~~
 33 ~~and appointed by the Governor;~~

34 ~~(7) One (1) member representing the Department of Education and~~
 35 ~~appointed by the Governor;~~

36 ~~(8) One (1) member representing the Department of Workforce~~

1 ~~Education and appointed by the Governor;~~

2 ~~(9) One (1) member representing the Department of Higher~~
 3 ~~Education and appointed by the Governor;~~

4 ~~(10) One (1) member representing the judicial system to be~~
 5 ~~appointed by the Governor;~~

6 ~~(11) One (1) member representing students with learning~~
 7 ~~disabilities or attention deficit disorder to be appointed by the Governor;~~

8 ~~(12) Two (2) members representing physicians and psychologists~~
 9 ~~who specialize in treating children and adolescents to be recommended by the~~
 10 ~~Chief of Staff of Arkansas Children's Hospital and appointed by the Governor;~~

11 ~~(13) One (1) member representing parents to be recommended by~~
 12 ~~the Arkansas Congress of Parents and Teachers and appointed by the Governor;~~
 13 ~~and~~

14 ~~(14) One (1) member at large to be appointed by the Governor.~~

15 ~~(b) Any vacancies shall be filled in accordance with the original~~
 16 ~~appointment.~~

17
 18 ~~6-15-1804.—Organization.~~

19 ~~(a) The Arkansas Pygmalion Commission on Nontraditional Education~~
 20 ~~shall select one (1) of its members to serve as chair.~~

21 ~~(b) The Commissioner of Education shall serve as a disbursing officer~~
 22 ~~of any funds received by the commission.~~

23 ~~(c) By July 1 of each year, the commission shall submit a report~~
 24 ~~containing recommendations for alternative and nontraditional methods for~~
 25 ~~meeting the educational needs of all Arkansas children and for funding these~~
 26 ~~recommendations to the Governor, the Senate Interim Committee on Education,~~
 27 ~~the House Interim Committee on Education, the Senate Interim Committee on~~
 28 ~~Children and Youth, and the Department of Education.~~

29
 30 ~~6-15-1805.—Contribution of staff time by certain state agencies.~~

31 ~~(a) The following state agencies and constitutional officers shall~~
 32 ~~contribute staff time to work for the Arkansas Pygmalion Commission on~~
 33 ~~Nontraditional Education:~~

34 ~~(1) The Department of Education;~~

35 ~~(2) The Department of Workforce Education;~~

36 ~~(3) The Department of Health;~~

- ~~(4) The Department of Human Services;~~
- ~~(5) The Administrative Office of the Courts; and~~
- ~~(6) The office of the Governor.~~

~~(b) The members of the commission shall work cooperatively with the various agencies and offices in determining how the work of the commission can be scheduled to accommodate both the regular agency duties of the staff and the work of the commission.~~

~~6-15-1806. Compensation.~~

~~(a)(1) Members of the Arkansas Pygmalion Commission on Nontraditional Education shall serve without pay, but the commission may reimburse nonlegislative and nonstate employee members for actual and necessary expenses incurred in the performance of their duties if sufficient funds are available.~~

~~(2) Expenses of state employees serving on the commission shall be reimbursed from funds appropriated to that agency for those purposes.~~

~~(b) The commission is authorized to accept gifts, grants, and donations from private sources, municipal and county governments, the state, and the federal government to be used for the purposes of this subchapter.~~

SECTION 7. Title 6, Chapter 16, Subchapter 4, of the Arkansas Code is repealed.

~~SUBCHAPTER 4 — COMPUTER TECHNOLOGY~~

~~6-16-401. Legislative intent.~~

~~(a) The General Assembly expresses its intent and commitment to use every means available to obtain and utilize to the fullest extent computer technology in the instructional process in the public schools of this state.~~

~~(b) Recognizing the value and cost of quality education, private individuals, firms, and corporations are encouraged to provide assistance in this endeavor to the maximum extent possible, including grants, donations, and in-kind services.~~

~~6-16-402. Commission on Improving Public Schools' Basic Skills Opportunities Through Technology — State Board of Education designated as successor.~~

~~(a) As a means of obtaining advice and providing assistance to the~~

1 ~~public schools of this state in the development of computer technology in the~~
 2 ~~instructional process, the State Board of Education is designated as the~~
 3 ~~successor to the Commission on Improving Public Schools' Basic Skills~~
 4 ~~Opportunities Through Technology.~~

5 ~~(b) The timing of the process required to complete the transition of~~
 6 ~~the functions of the commission to the state board shall be at the discretion~~
 7 ~~of the state board.~~

8 ~~(c) In conjunction with the transition of the commission to the state~~
 9 ~~board, the Department of Education shall become the successor to the~~
 10 ~~Instructional Microcomputer Project for Arkansas Classrooms.~~

11
 12 SECTION 8. Title 6, Chapter 17, Subchapter 27, of the Arkansas Code is
 13 repealed.

14 ~~SUBCHAPTER 27—SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH FUND~~

15 ~~6-17-2701. Legislative intent.~~

16 ~~The General Assembly finds:~~

17 ~~(1) Achievement and enthusiasm of Arkansas students in the areas of~~
 18 ~~science, technology, engineering, and math is a critical step in preparing~~
 19 ~~the State of Arkansas for a workforce with the skills necessary to compete~~
 20 ~~economically in the twenty-first century workplace and to prepare the~~
 21 ~~children of this state for high-paying competitive jobs;~~

22 ~~(2) Currently more than fifty percent (50%) of Arkansas students who~~
 23 ~~go straight to college require remedial courses in both math and English;~~

24 ~~(3) In fiscal year 2003-2004, Arkansas expended over forty-eight~~
 25 ~~million dollars (\$48,000,000) on student remediation;~~

26 ~~(4) In 2005, of the five thousand four hundred thirty-four (5,434)~~
 27 ~~students who took math and science Advanced Placement (AP) courses, only~~
 28 ~~twenty-six and six-tenths percent (26.6%) of those students received a~~
 29 ~~passing score while nationally, passage rates ranged between fifty-six~~
 30 ~~percent (56%) for chemistry to eighty percent (80%) for calculus;~~

31 ~~(5) Students' completion of high school math courses beyond Algebra II~~
 32 ~~significantly increases the probability that the student will earn a~~
 33 ~~bachelor's degree;~~

34 ~~(6) Approximately four thousand (4,000) of the seven thousand four~~
 35 ~~hundred thirty-three (7,433) certified teachers in Arkansas are actively~~
 36 ~~teaching science, technology, engineering, and math-related courses and may~~

1 ~~qualify for the science, technology, engineering, and math supplemental~~
2 ~~income grant; and~~

3 ~~(7) Because of the significant difference in income between science,~~
4 ~~technology, engineering, and math teachers and what they can make in~~
5 ~~industry, it is essential to:~~

6 ~~(A) Reduce the loss of science, technology, engineering, and~~
7 ~~math teachers to industry;~~

8 ~~(B) Entice science, technology, engineering, and math teachers~~
9 ~~back to the classroom; and~~

10 ~~(C) Encourage students to enter the science, technology,~~
11 ~~engineering, and math teaching professions by supplying supplemental grant~~
12 ~~income to science, technology, engineering, and math teachers.~~

13
14 ~~6-17-2702. Determination of eligibility.~~

15 ~~(a) The Arkansas Economic Development Commission, in coordination with~~
16 ~~the Department of Education, shall promulgate rules governing the eligibility~~
17 ~~of teachers of science, technology, engineering, or math to receive a~~
18 ~~supplemental grant from the Science, Technology, Engineering, and Math Fund.~~

19 ~~(b) Rules shall be promulgated in accordance with the Arkansas~~
20 ~~Administrative Procedure Act, § 25-15-201 et seq.~~

21
22 ~~6-17-2703. Application process.~~

23 ~~(a) Licensed math and science teachers who are currently teaching~~
24 ~~science, technology, engineering, and math subjects in kindergarten through~~
25 ~~grade twelve (K-12) may apply to the Arkansas Economic Development Commission~~
26 ~~for a supplemental grant from the Science, Technology, Engineering, and Math~~
27 ~~Fund for that portion of the day in which they are teaching science,~~
28 ~~technology, engineering, or math subjects or laboratories.~~

29 ~~(b) Selection and identification of qualified science, technology,~~
30 ~~engineering, and math teachers shall be coordinated with the Department of~~
31 ~~Education for identification of qualified science, technology, engineering,~~
32 ~~and math teachers.~~

33 ~~(c) Applications for supplemental grants from the Science, Technology,~~
34 ~~Engineering, and Math Fund shall be made to the commission by February 1 and~~
35 ~~September 1 of each year.~~

36 ~~(d) The application shall be made on forms prepared by the commission.~~

1 ~~(e) The application shall be accompanied by a letter of certification,~~
2 ~~on a form to be provided by the commission, from the principal of the school~~
3 ~~in which the science, technology, engineering, or math teacher is employed.~~

4 ~~(f) The commission shall review the applications in accordance with~~
5 ~~rules promulgated by the commission in coordination with the department to~~
6 ~~determine if the applicant qualifies for a supplemental grant from the fund.~~

7 ~~(g) After determining eligibility for a supplemental grant from the~~
8 ~~Science, Technology, Engineering, and Math Fund, the commission shall notify,~~
9 ~~in writing, the applicant of the decision of eligibility.~~

10
11 ~~6-17-2704. Disbursement of supplemental grant.~~

12 ~~Upon the determination of eligibility for a supplemental grant from the~~
13 ~~Science, Technology, Engineering, and Math Fund, the Arkansas Economic~~
14 ~~Development Commission shall disburse the allotted funds to the teacher at~~
15 ~~the end of the fall and spring semesters for which the science, technology,~~
16 ~~engineering, or math course was taught.~~

17
18 SECTION 9. Arkansas Code § 15-5-503(b)(2)(D), concerning the Arkansas
19 Acceleration Fund Committee recommendations for allocation or reallocation of
20 funds, is repealed.

21 ~~(D) Supplemental science, technology, engineering, and~~
22 ~~math fund grants under § 6-17-2701 et seq.;~~

23
24 SECTION 10. The Arkansas Code Revision Commission shall redesignate
25 Arkansas Code § 15-5-503 in light of the repeal of subdivision (b)(2)(D).
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