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.

State of Arkansas
84th General Assembly
Regular Session, 2003

A Bill

SENATE BILL 912

For An Act To Be Entitled

AN ACT TO MERGE THE ARKANSAS SCHOOL OF
MATHEMATICS AND SCIENCES WITH THE UNIVERSITY OF
ARKANSAS; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO MERGE THE ARKANSAS SCHOOL OF
MATHEMATICS AND SCIENCES WITH THE
UNIVERSITY OF ARKANSAS.

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

SECTION 1. Arkansas School for Mathematics, Sciences, and the Arts.

(a) The Board of Trustees of the University of Arkansas is authorized to establish and operate, as a part thereof, a campus to be known as the “Arkansas School for Mathematics, Sciences, and the Arts,” consolidating and incorporating into the University of Arkansas the facilities of the state institution formally known as the “Arkansas School for Mathematics and Sciences” which, together with its board of trustees, is abolished as a separate institution effective January 1, 2004.

(b) On January 1, 2004 the Board of Trustees of the University of Arkansas shall be vested with, and succeed to, all the rights, titles, powers, interests, properties, assets, funds, and credits of the Arkansas School for Mathematics and Sciences and its board of trustees, including all rights, titles, and interests in and to all real and personal property acquired by or vested in that institution or its board of trustees.

(c) On January 1, 2004, the appropriate state officials are directed
to transfer all funds, appropriations, credits, and equities belonging to the Arkansas School for Mathematics and Sciences and its board of trustees so that the same shall be credited to and made available for the Board of Trustees of the University of Arkansas for use on its Arkansas School for Mathematics, Sciences, and the Arts campus.

(d) The Board of Trustees of the Arkansas School for Mathematics and Sciences shall, on January 1, 2004, relinquish all responsibility, control, and supervision concerning the Arkansas School for Mathematics and Sciences, and by delivery of the assets, books of accounts, and files of that institution to the Board of Trustees of the University of Arkansas shall be divested of all obligations and duties applicable to the Arkansas School for Mathematics and Sciences.

SECTION 2. Purpose – Location – Funding – Tuition.

(a) The Arkansas School for Mathematics, Sciences, and the Arts shall be a residential school for eleventh and twelfth grade students who exhibit outstanding academic credentials and who have the ability to undertake course work in an environment and with demands similar to those of a university.

(b)(1) The purposes of the school shall be to educate the gifted and talented math, science, and fine and performing arts students of the state and to develop curricula and materials to improve instruction in mathematics, sciences, and fine and performing arts for all students in the state.

(2) The school's curriculum, faculty, and admissions policies shall reflect the purposes described by this act.

(c) While the emphasis of the school shall be dedicated to the academic teaching of mathematics, sciences, and fine and performing arts, emphasis may also be placed upon other areas of the arts and humanities as deemed appropriate by the Board of Trustees of the University of Arkansas.

(d) The board of trustees shall maintain the Arkansas School for Mathematics, Sciences and the Arts in Hot Springs as a campus of the University of Arkansas offering at that location the highest possible quality of educational programs as set forth in this act.

SECTION 3. Board of Visitors.

(a)(1) There is established a Board of Visitors for the Arkansas School for Mathematics, Sciences, and the Arts.
(2) The persons serving on December 31, 2003 as members of the Board of Trustees of the Arkansas School for Mathematics and Sciences shall be members of the Board of Visitors for the Arkansas School for Mathematics, Sciences, and the Arts and shall continue to serve for a term equal to the unexpired portion of his or her term as a member of the Board of Trustees of the Arkansas School for Mathematics and Sciences.

(3) The board of visitors shall consist of seven (7) members appointed by the Governor for seven-year terms.

(4) As initial terms expire, and when vacancies occur, the Governor shall appoint persons to fill each vacancy for the remaining portion of the unexpired term.

(5) Appointments shall be for terms of seven (7) years or for the remaining portion of an unexpired term.

(b)(1) Members of the board of visitors appointed by the Governor, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2) One (1) member shall be appointed from each congressional district and the remaining members shall be appointed from the state at large.

(3) In addition to appointed members of the board of visitors, six (6) ex-officio non-voting members shall also serve on the board as follows:

(A) The Director of the Department of Education;

(B) The Director of the Department of Higher Education;

(C) The President of the Arkansas Science and Technology Authority;

(D) The Director of the Department of Arkansas Heritage;

(E) The President of the Parent Association of the school; and

(F) The President of the Student Government of the school.

(4) The terms of office of an ex-officio non-voting member shall continue so long as he or she occupies the position or office.

(c)(1)(A) The board of visitors shall meet monthly as the board determines, and shall elect from its voting members a chair, a vice chair, and a secretary.

(B) With prior notice to all members, special meetings may
be called, as needed, by either the board chairman or any three (3) of the voting members of the board.

(2) Regular minutes of its meetings shall be preserved.

SECTION 4. Board of visitors – Purposes.

(a)(1)(A) The general purpose of the Board of Visitors for the Arkansas School for Mathematics, Sciences, and the Arts is to perform a supporting and advising role with regard to the operation of the school.

(B) The board may recommend implementation and establishment of policies consistent with policies of the Board of Trustees of the University of Arkansas.

(C) The board shall serve as a liaison between the school, parents, and other constituents, and the President and Board of Trustees of the University of Arkansas.

(D) Because the board of trustees and the president may delegate broad administrative responsibilities to the administrator of the school, consistent with policies established or approved by the board of trustees, the board of visitors will have the opportunity to give meaningful advice and recommendations to further the development and operation of the Arkansas School for Mathematics, Sciences, and the Arts.

(2) The board of visitors shall:

(A) Assist in securing financial support for the Arkansas School for Mathematics, Sciences, and the Arts;

(B) Advise the administrator of the school, and the President and the Board of Trustees of the University of Arkansas, regarding the educational, service, and financial needs of the school;

(C) Aid in the orderly transition of the school as it becomes a campus of the University of Arkansas;

(D) Accept and execute specific assignments made by the Board of Trustees of the University of Arkansas and the President of the University of Arkansas;

(E) Keep informed on those matters that are necessary to promote the educational aims of the school for the benefit of the students;

(F) Study in detail the reports and issues placed before it by the board of trustees; and

(G) Promote, in diverse ways, the growth and development
in excellence of the school and the University of Arkansas in general.

(3) The board of visitors shall have oversight coordination as specifically assigned by the board of trustees, which may include oversight responsibility with respect to the school's operating budget, internal governance, and methods of operations.

(4) Communications, including advice and recommendations, from the board of visitors shall be transmitted through the administrator of the school and by him or her through the President of the University of Arkansas to the Board of Trustees of the University of Arkansas.

(b) The school shall be funded by monies appropriated by the General Assembly for the operation of the school and by grants, contributions, or donations which may be received for the support of the school.

(c) Students selected to attend the school shall not be required to pay tuition, fees, or room and board.

(d) Any student who is a senior at the school shall have the option of participating in activities and events with, and in the same manner as, other members of the graduating class in his or her home school district, including, but not limited to, the following:

(1) The prom or banquet;
(2) Class day activities;
(3) Graduation activities;
(4) Recognition as a honor graduate, except as valedictorian or salutatorian; and
(5) Class pictures, including yearbook and composite pictures.

SECTION 5. Administrator–Staff.

(a)(1) The Administrator of the Arkansas School for Mathematics, Sciences, and the Arts shall be the chief administrative officer of the school and shall administer the school in accordance with policies established by the Board of Trustees of the University of Arkansas.

(2) The administrator shall be employed by the board of trustees after appropriate advice and counsel of the Board of Visitors of the Arkansas School for Mathematics, Sciences, and the Arts.

(b) Upon recommendation of the administrator, the board of trustees shall employ such other personnel as it deems necessary for the operation of the school.
(c)(1) Instructors shall be employed by the board of trustees and shall have such rights, privileges, and obligations as the board of trustees shall determine, provided that they shall not be eligible for tenure nor carry professional rank.

(2) In the event policies of the board of trustees conflict with existing law with respect to terms and conditions of employment of instructors and staff the policies shall control.

(d) Instructors and staff of the school shall continue to be eligible for membership in the Arkansas Teacher Retirement System and earn credited service for employment at the school or at their election shall be eligible to participate in the retirement system of the University of Arkansas.

SECTION 6. Department of Education regulations.

All Department of Education regulations shall apply to the Arkansas School for Mathematics, Sciences, and the Arts unless the department determines otherwise or unless the regulations conflict with governance of the school by the Board of Trustees of the University of Arkansas and the purposes and intent of this act.


6-42-201. Establishment - Purpose - Location - Funding - Tuition.

(a) There is hereby established the Arkansas School for Mathematics and Sciences, hereinafter "school", which shall be a residential school for eleventh and twelfth grade students.

(b)(1) The purposes of the school shall be to educate the gifted and talented math and science students of the state and to develop curricula and materials to improve instruction in mathematics and sciences for all students in the state. The school's curriculum, faculty, and admissions policy shall reflect those purposes.

(2) While the emphasis of the school shall be dedicated to the academic teaching of mathematics and sciences, some emphasis may be placed on the arts and humanities as deemed appropriate by the board of trustees.

(c) The school shall be located on the campus of an Arkansas institution of higher education or at some other appropriate facility which can provide the classrooms, laboratories, library facilities, dormitories,
and other services necessary for the proper operation and support of the school.

(d)(1) The school shall be funded by moneys appropriated by the General Assembly for the operation of the school and by grants, contributions, or donations which may be received for the support of the school.

(2) Students selected to attend the school shall not be required to pay tuition, fees, or room and board.

(e) Any student who is a senior at the school shall have the option of participating in activities and events with and in the same manner as other members of the graduating class in his or her home school district, including but not limited to the following:

(1) The prom or banquet;
(2) Class Day activities;
(3) Graduation activities;
(4) Recognition as an honor graduate, except as valedictorian or salutatorian; and
(5) Class pictures, including yearbook and composite pictures.

6-42-202 Board of trustees.

(a) The school shall be governed by a board of trustees.

(b)(1)(A) The board of trustees shall consist of seven (7) members, with one (1) member appointed from each congressional district and the remaining members appointed at large.

(B) The Governor shall appoint all seven (7) members of the board of trustees.

(C) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2)(A) Five (5) ex officio nonvoting members shall also serve on the board.

(B) The Director of the Department of Education, the Director of the Department of Higher Education, the President of the Arkansas Science and Technology Authority, the president of the school's parent association, and the president of the school's student government shall serve as the five (5) ex officio, nonvoting members of the board.
6-42-203. Powers and duties of the board of trustees.
(a) The board of trustees created under § 6-42-202 is charged with the
management and control of the Arkansas School for Mathematics and Sciences.
(b) The board shall annually elect a chairman, a secretary, and such
other officers as the board deems appropriate.
(c) Members shall serve seven-year terms.
(d)(1) The board shall meet at least once a month.
(2) The chairman is authorized to call special meetings of the
board as needed upon two (2) days' written notice to the members.
(3) Any three (3) board members are authorized to call special
meetings of the board upon two (2) days' written notice to the members.
(e) The board is authorized to contract with other state agencies and
private research centers as it deems necessary in carrying out its
responsibilities for the operation of the school.
(f) The board is authorized to receive contributions, donations,
gifts, bequests of money, other forms of financial assistance, and property,
equipment, materials, or personnel from persons, foundations, trust funds,
corporations, organizations, and other sources, private or public, to be
expended and utilized for the operation of the school.
(g) The members of the board may receive expense reimbursement in
accordance with § 25-16-901 et seq.

6-42-204. Administrator—Staff.
(a) The administrator of the Arkansas School for Mathematics and
Sciences shall be the chief administrative officer of the school and shall
administer the school in accordance with policies established by the board of
trustees.
(b)(1) Upon recommendation of the administrator, the board shall
employ other personnel the board deems necessary for the operation of the
school.
(2) Faculty members and other personnel required for operation
of the school shall be recommended for employment by the administrator and shall be employed by annual contract by the school.

(3) The administrator and other personnel employed for the operation of the school shall be employees of the State of Arkansas.

(c)(1) Teachers and administrators so employed shall be eligible for membership in the Arkansas Teacher Retirement System and earn credited service for such employment.

(2) Noneducational personnel employed by the department shall be eligible for membership in the system and earn credit for such employment.

6-42-205. Technical assistance from state agencies.

The Department of Education, the Department of Higher Education, and the Arkansas Science and Technology Authority shall provide technical assistance to the staff of the Arkansas School for Mathematics and Sciences.

6-42-206. Governance of school.

All Department of Education regulations shall apply to the Arkansas School for Mathematics and Sciences unless the department indicates otherwise.

SECTION 8. Effective January 1, 2004, Arkansas Code 6-5-302 is amended to read as follows:

6-5-302. Allocation and transfer of funds.

From the moneys accruing to the Educational Excellence Trust Fund, the Treasurer of State on the last day of the month shall transfer to the various funds and fund accounts listed below, the amounts determined by applying each fund or fund account's proportionate part of the total of all such allocations set forth herein to the amount available for distribution as determined in § 6-5-301:

<table>
<thead>
<tr>
<th>FUND OR FUND ACCOUNTS</th>
<th>THEREAFTER</th>
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<tbody>
<tr>
<td>Education Public School Fund Account</td>
<td>$161,935,727</td>
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<tr>
<td></td>
<td>$164,138,382</td>
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</tbody>
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1 Workforce Education Public School Fund Account 9,518,065 10,032,555
2 Dept. of Education Fund Account 762,901 804,138
3 Dept. of Workforce Education Fund Account 2,856,557 3,010,965
4 Higher Education Grants Fund Account 10,499,767 11,067,322
5 School for Math, Science and Arts Fund 0 5,988,465
6 Institutions of Higher Education:
7 Arkansas State University Fund 4,797,713 5,057,049
8 Arkansas Tech University Fund 1,608,226 1,695,157
9 Henderson State University Fund 1,663,634 1,753,560
10 Southern Arkansas University Fund 983,576 1,036,743
11 University of Arkansas Fund 11,905,301 12,548,830
12 University of Arkansas at Little Rock Fund 4,224,809 4,453,177
13 University of Arkansas Med. Center Fund 7,274,293 7,667,498
14 University of Arkansas Med. Center - Indg. Care 181,013 190,797
15 University of Arkansas at Monticello Fund 848,858 894,742
16 University of Arkansas at Pine Bluff Fund 1,473,599 1,553,253
17 University of Central Arkansas Fund 3,661,359 3,859,270
18 Arkansas State University-Beebe Fund 1,144,646 1,206,518
19 East Arkansas Community College Fund 599,022 631,401
20 Garland County Community College Fund 895,921 944,349
21 Mississippi County Community College Fund 573,810 604,827
22 North Arkansas College Fund 353,775 372,898
23 Northwest Arkansas Community College Fund 791,763 834,561
24 Phillips Community College of Univ. of Ark. Fund 583,366 614,899
25 Rich Mountain Community College Fund 158,120 166,667
26 SAU-Tech Fund 256,801 270,683
27 South Arkansas Community College Fund 409,688 431,833
28 Westark College Fund 2,437,691 2,569,458
29 TOTAL INSTITUTIONS OF HIGHER EDUCATION $46,826,984 $49,358,170
30
31 SECTION 9. There is created on the books of the Treasurer of State,
32 Auditor of State and Chief Fiscal Officer of the State a fund to be known as
33 the School for Math, Science and Arts Fund. The School for Math, Science and
34 Arts Fund shall be used to provide for the maintenance, operation, and
35 improvement required by the Arkansas School for Mathematics, Sciences, and
36 the Arts in carrying out its powers, functions and duties as set out by law.
The School for Math, Science and Arts Fund shall consist of moneys allocated and transferred from the Educational Excellence Trust Fund; any general revenues as may be provided by the Revenue Stabilization Law, ACA 19-5-101 et seq.; and any other moneys as may be authorized by law.

/s/ T. Smith, et al