

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

HOUSE BILL 2530

4
5 By: Representatives Dangeau, Saunders
6
7

For An Act To Be Entitled

9 AN ACT TO RENAME THE DIRECTOR OF THE DEPARTMENT
10 OF EDUCATION AS THE COMMISSIONER OF EDUCATION;
11 TO REORGANIZE THE DEPARTMENT OF EDUCATION INTO
12 DEPARTMENTS; TO REVISE THE DIVISION OF ACADEMIC
13 ACCOUNTABILITY UNDER THE COMMISSIONER OF
14 EDUCATION; TO RENAME THE DIVISION OF PUBLIC
15 SCHOOL ACADEMIC FACILITIES AS THE DIVISION OF
16 PUBLIC SCHOOL ACADEMIC FACILITIES AND
17 TRANSPORTATION OF THE DEPARTMENT OF EDUCATION AND
18 TO PROVIDE THAT EFFECTIVE JULY 1, 2007, THE
19 DIVISION SHALL BE UNDER THE COMMISSIONER OF
20 EDUCATION; AND FOR OTHER PURPOSES.

Subtitle

21
22
23 AN ACT TO REORGANIZE THE DEPARTMENT OF
24 EDUCATION INTO DEPARTMENTS UNDER THE
25 COMMISSIONER OF EDUCATION.
26
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
29

30 SECTION 1. (a) The position of Director of the Department of
31 Education is renamed the Commissioner of Education.

32 (b) The Arkansas Code Revision Commission shall replace all references
33 to "Director of the Department of Education" in the Arkansas Code with
34 "Commissioner of Education".
35

36 SECTION 2. Arkansas Code § 6-11-102 is amended to read as follows:



6-11-102. Director of the Department of Education.

(a) Subject to confirmation by the Governor, the State Board of Education is empowered to employ a person to act as the ~~Director~~ Commissioner of Education and who shall be the administrative head of the Department of Education, ~~who~~. The commissioner shall serve at the pleasure of the Governor.

(b) The ~~director~~ commissioner shall devote all of his or her time to the duties of his or her office, shall act as an agent of the board, and perform other duties as are designated by the board and by statute.

(c)(1) The person selected as the ~~director~~ commissioner must:

(A) Be a person of good moral character, recognized as a leader in the field of education, and qualified technically and by experience to direct the work of the Department of Education;

(B) Hold the master's degree from an accredited institution;

(C) Have had ten (10) years' experience as a teacher, five (5) of which must be of an administrative or supervisory nature; and

(D) Hold a valid state teacher's certificate.

(2) No person who is related within the fourth degree of consanguinity or affinity to any member of the board shall be eligible to serve as ~~director~~ commissioner.

(d) It is the specific intention of this act to define and declare the ~~director~~ commissioner to be the employee of the State Board of Education.

(e)(1) The ~~director~~ commissioner, or a disbursing agent designated by him or her and approved by the board, shall give bond to the State of Arkansas as provided by law for other disbursing agents conditioned for the faithful performance of his or her duties and the faithful accounting for all the school money of the state, of any county, or of any school district that may come into his or her hands.

(2) The bond shall be in a solvent surety company having a right to do business in the State of Arkansas and shall be approved by the board.

(3) The premium on the bond shall be paid by the board as one of the expenses of the board.

(f) The state shall furnish the ~~director~~ commissioner with suitable offices.

SECTION 3. Arkansas Code Title 6, Chapter 11, Subchapter 1 is amended

1 to add an additional section to read as follows:

2 6-11-131. Divisions of the Department of Education.

3 (a) The Department of Education shall consist of a central
 4 administration and the following divisions:

5 (1) The Division of Fiscal and Administrative Services;

6 (2) The Division of Human Resources;

7 (3) The Division of Learning Services;

8 (4) Effective July 1, 2007, the Division of Public School
 9 Academic Facilities and Transportation;

10 (5) The Division of Public School Accountability; and

11 (6) The Division of Research and Technology.

12 (b)(1) The Division of Public School Accountability and the Division
 13 of Research and Technology shall have such duties as provided by law.

14 (2) The remaining divisions shall have such responsibility and
 15 programs as may be assigned to them by the Commissioner of Education.

16 (c) Each division of the Department of Education shall be under the
 17 direction, control, and supervision of the commissioner.

18
 19 SECTION 4. Arkansas Code § 6-15-102(a) through (e), concerning the
 20 Division of Public School Accountability, is amended to read as follows:

21 (a)(1) To enhance the public's access to public school performance
 22 indicators and to better measure the benefits of the increasing public
 23 investment in Arkansas' schools, the General Assembly finds that a Division
 24 of Public School Accountability of the Department of Education should be
 25 established under the direct operational control of the ~~State Board of~~
 26 ~~Education~~ Commissioner of Education.

27 (2) The foremost obligation of the division shall be to
 28 administer all monitoring and compliance activities dealing with academic and
 29 fiscal accountability for each school or school district and to report
 30 academic progress.

31 (b) There is created the Division of Public School Accountability of
 32 the Department of Education, which shall begin operation within one hundred
 33 twenty (120) calendar days following June 3, 2004.

34 (c) The division shall be under the supervision of the ~~state board~~
 35 Commissioner of Education.

36 (d)(1) The ~~state board~~ Commissioner of Education shall select an

1 individual to serve as the Director of the Division of Public School
2 Accountability, and the director shall serve at the pleasure of the ~~state~~
3 ~~board~~ commissioner.

4 (2) The person selected as the director shall:

5 (A) Be a person of good moral character and qualified
6 technically and by experience to direct the work of the division;

7 (B) Hold a master's degree or a higher level degree from
8 an accredited institution; and

9 (C) Have ten (10) years of experience in an
10 administrative, supervisory, or management position.

11 (3) No person who is related within the fourth degree of
12 consanguinity or affinity to any member of the state board or to the
13 commissioner shall be eligible to serve as the director.

14 (e) The director, with guidance and approval from the ~~state board~~
15 commissioner, shall be responsible for hiring all employees of the division.

16
17 SECTION 5. Effective July 1, 2007:

18 (1) The division established under Arkansas Code § 6-21-112
19 shall be known as the Division of Public School Academic Facilities and
20 Transportation of the Department of Education;

21 (2) The division shall operate under the direct supervision of
22 the Commissioner of Education; and

23 (3) The director of the division shall be selected by the
24 commissioner and shall serve at the pleasure of the commissioner.

25
26
27
28
29
30
31
32
33
34
35
36