

The Governor on behalf of this state is authorized to execute a compact, in substantially the following form, with any one (1) or more of the States of Alabama, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia, and the General Assembly signifies in advance its approval and ratification of such compact:

SOUTHERN REGIONAL EDUCATION COMPACT

ARTICLE I.

In consideration of the mutual agreements, covenants, and obligations assumed by the respective states who are parties hereto, namely: Alabama, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia (hereinafter referred to as “states”), the said several states do hereby form a geographical district or region consisting of the areas lying within the boundaries of the contracting states which, for the purposes of this compact, shall constitute an area for regional education support by public funds derived from taxation by the constituent states and derived from other sources for the establishment, acquisition, operation, and maintenance of regional educational schools and institutions for the benefit of citizens of the respective states residing within the region so established as may be determined from time to time in accordance with the terms and provisions of this compact.

ARTICLE II.

The states do further hereby establish and create a joint agency which shall be known as the Board of Control for Southern Regional Education (hereinafter referred to as the “board”), the members of which board shall consist of the Governor of each state, ex officio, and four (4) additional citizens of each state to be appointed by the Governor thereof, at least one (1) of whom shall be selected from the field of education, and at least one (1) of whom shall be a member of the legislature of that state.

The Governor shall continue as a member of the board during his tenure of office as Governor of the state, but the members of the board appointed by the Governor shall hold office for a period of four (4) years except that in the original appointments one (1) board member so appointed by the Governor shall be designated at the time of his appointment to serve an initial term of two (2) years, one (1) board member to serve an initial term of three (3) years, and the remaining board member to serve the full term of four (4) years, but thereafter the successor of each appointed board member shall serve the full term of four (4) years. Vacancies on the board caused by death, resignation, refusal or inability to serve shall be filled by appointment by the Governor for

the unexpired portion of the term. The officers of the board shall be a chairman, a vice chairman, a secretary, a treasurer, and such additional officers as may be created by the board from time to time. The board shall meet annually and officers shall be elected to hold office until the next annual meeting. The board shall have the right to formulate and establish bylaws not inconsistent with the provisions of this compact to govern its own actions in the performance of the duties delegated to it including the right to create and appoint an Executive Committee and a Finance Committee with such powers and authority as the board may delegate to them from time to time. The board may, within its discretion, elect as its chairman a person who is not a member of the board, provided such person resides within a signatory state, and upon such election such person shall become a member of the board with all the rights and privileges of such membership.

ARTICLE III.

It shall be the duty of the board to submit plans and recommendations to the states from time to time for their approval and adoption by appropriate legislative action for the development, establishment, acquisition, operation and maintenance of educational schools and institutions within the geographical limits of the regional area of the states, of such character and type and for such educational purposes, professional, technological, scientific, literary, or otherwise, as they may deem and determine to be proper, necessary, or advisable. Title to all such educational institutions when so established by appropriate legislative actions of the states and to all properties and facilities used in connection therewith shall be vested in said board as the agency of and for the use and benefit of the said states and the citizens thereof, and all such educational institutions shall be operated, maintained, and financed in the manner herein set out, subject to any provisions or limitations which may be contained in the legislative acts of the states authorizing the creation, establishment, and operation of such educational institutions.

ARTICLE IV.

In addition to the power and authority heretofore granted, the board shall have the power to enter into such agreements or arrangements with any of the states and with educational institutions or agencies, as may be required in the judgment of the board, to provide adequate services and facilities for the graduate, professional, and technical education for the benefit of the citizens of the respective states residing within the region, and such additional and general power and authority as may be vested in the board from time to time by legislative enactment of the said states.

ARTICLE V.

Any two (2) or more states who are parties of this compact shall have the right to enter into supplemental agreements providing for the establishment, financing, and operation of regional

educational institutions for the benefit of citizens residing within an area which constitutes a portion of the general region herein created, such institutions to be financed exclusively by such states and to be controlled exclusively by the members of the board representing such states provided such agreement is submitted to and approved by the board prior to the establishment of such institutions.

ARTICLE VI.

Each state agrees that, when authorized by the legislature, it will from time to time make available and pay over to said board such funds as may be required for the establishment, acquisition, operation, and maintenance of such regional educational institutions as may be authorized by the states under the terms of this compact, the contribution of each state at all times to be in the proportion that its population bears to the total combined population of the states who are parties hereto as shown from time to time by the most recent official published report of the Bureau of the Census of the United States of America; or upon such other basis as may be agreed upon.

ARTICLE VII.

This compact shall not take effect or be binding upon any state unless and until it shall be approved by proper legislative action of as many as six (6) or more of the states whose governors have subscribed hereto within a period of eighteen (18) months from the date hereof. When and if six (6) or more states shall have given legislative approval to this compact within said eighteen (18) months' period, it shall be and become binding upon such six (6) or more states sixty (60) days after the date of legislative approval by the sixth state and the governors of such six (6) or more states shall forthwith name the members of the board from their states as hereinabove set out, and the board shall then meet on call of the Governor of any state approving this compact, at which time the board shall elect officers, adopt bylaws, appoint committees, and otherwise fully organize. Other states whose names are subscribed hereto shall thereafter become parties hereto upon approval of this compact by legislative action within two (2) years from the date hereof, upon such conditions as may be agreed upon at the time. Provided, however, that with respect to any state whose constitution may require amendment in order to permit legislative approval of the compact, such state or states shall become parties hereto upon approval of this compact by legislative action within seven (7) years from the date hereof, upon such conditions as may be agreed upon at the time.

ARTICLE VIII.

After becoming effective this compact shall thereafter continue without limitation of time; provided, however, that it may be terminated at any time by unanimous action of the states and

provided further that any state may withdraw from this compact if such withdrawal is approved by its legislature, such withdrawal to become effective two (2) years after written notice thereof to the board accompanied by a certified copy of the requisite legislative action, but such withdrawal shall not relieve the withdrawing state from its obligations hereunder accruing up to the effective date of such withdrawal. Any state so withdrawing shall ipso facto cease to have any claim to or ownership of any of the property held or vested in the board or to any of the funds of the board held under the terms of this compact.

ARTICLE IX.

If any state shall at any time become in default in the performance of any of its obligations assumed herein or with respect to any obligation imposed upon said state as authorized by and in compliance with the terms and provisions of this compact, all rights, privileges, and benefits of such defaulting state, its members on the board, and its citizens shall ipso facto be and become suspended from and after the date of such default. Unless such default shall be remedied and made good within a period of one (1) year immediately following the date of such default, this compact may be terminated with respect to such defaulting state by an affirmative vote of three-fourths ($3/4$) of the members of the board (exclusive of the members representing the state in default), from and after which time such state shall cease to be a party to this compact and shall have no further claim to or ownership of any of the property held by or vested in the board or to any of the funds of the board held under the terms of this compact, but such termination shall in no manner release such defaulting state from any accrued obligation or otherwise affect this compact or the rights, duties, privileges, or obligations of the remaining states thereunder.

§ 6-4-102. Approval

(a) The Southern Regional Education Compact is approved, and the State of Arkansas is declared to be a party to the compact.

(b) Agreements, covenants, and obligations in the compact are binding upon the State of Arkansas.

§ 6-4-103. Engrossed copies--Signature by Governor

Upon the approval of this compact by the requisite number of states, the Governor shall sign an engrossed copy of the compact, and sufficient copies shall be provided so that every state approving the compact shall have an engrossed copy.

§ 6-4-104. Arkansas Higher Education Coordinating Board--Agent for out-of-state education

(a) The Arkansas Higher Education Coordinating Board is designated the agent for the State of Arkansas for the purpose of entering into a program of out-of-state training and education for residents of Arkansas through the cooperation of the Board of Control for Southern Regional Education, which was created by interstate compact with Arkansas, a signatory pursuant to House Concurrent Resolution 13, approved March 2, 1949.

(b) The Department of Higher Education is hereby authorized to administer the program.

§ 6-4-105. Contracts for out-of-state education

(a) As agent for the state, the Arkansas Higher Education Coordinating Board shall contract with the Board of Control for Southern Regional Education in order that the latter may act to secure admission of Arkansas residents as students in institutions of higher learning operated by other states who are signatories of the compact.

(b) Contract authority shall include the placing of students for study in the fields for which the Board of Control for Southern Regional Education may maintain programs, including, but not limited to, veterinary medicine and dentistry.

(c)(1) The Arkansas Higher Education Coordinating Board shall contract to pay the Board of Control for Southern Regional Education for Arkansas students accepted under this program.

(2) Provided, in no case will the contract price exceed the amount approved by the Board of Control for Southern Regional Education.

§ 6-4-106. Application by students

(a) Students seeking the subsidy to be paid for their benefit shall apply to the Department of Higher Education, giving necessary information.

(b) If the applicant is found to be a bona fide resident of Arkansas and if funds for this purpose are available, the department shall, without more, certify the applicant as qualified to participate under this program.

§ 6-4-107. Disbursing agency

(a) The Department of Higher Education shall be the disbursing agency for the State of Arkansas for the purpose of authorizing payment to the Board of Control for Southern Regional Education under this program.

(b) As the disbursing agent, the department may expend such sums as are specially appropriated for the operation and administration of this program without obligation to maintain the program should the special appropriation be unavailable.

Current through end of the 2011 Regular Session.
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