

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

As Engrossed: S3/28/01 S4/4/01 H4/11/01

2 83rd General Assembly

A Bill

Act 1761 of 2001

3 Regular Session, 2001

SENATE BILL 762

4

5 By: Senators D. Malone, Mahony, Argue, Brown, Riggs, J. Jeffress

6 By: Representatives Cook, C. Johnson, Broadway, Ledbetter, W. Walker, Bookout, Bond, Cleveland,

7 Dees, Fite, Green, Jacobs, G. Jeffress, Oglesby, Salmon, Seawel, Thomas, Weaver, White

8

9

10 **For An Act To Be Entitled**

11 AN ACT TO AMEND THE ARKANSAS GOVERNOR' S SCHOLARS
12 PROGRAM; TO CHANGE THE ELIGIBILITY REQUIREMENTS;
13 TO REDUCE THE NUMBER OF APPLICANTS; TO LOWER THE
14 AMOUNT OF THE AWARD; TO DECLARE AN EMERGENCY; AND
15 FOR OTHER PURPOSES.

16

17

Subtitle

18 AN ACT TO AMEND THE ARKANSAS GOVERNOR' S
19 SCHOLARS PROGRAM; TO CHANGE THE
20 ELIGIBILITY REQUIREMENTS; TO REDUCE THE
21 NUMBER OF APPLICANTS; AND TO LOWER THE
22 AMOUNT OF THE AWARD.

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

26

27 SECTION 1. Arkansas Code 6-82-301 is amended to read as follows:

28 6-82-301. Legislative determinations.

29 The General Assembly recognizes that outstanding students are an
30 essential ingredient for the economic and social benefit of the State of
31 Arkansas. Benefits accrue to the state when a majority of National Merit
32 Scholars, National Achievement Scholars, and superior students attend
33 Arkansas institutions of higher learning and remain in the state.

34

35 SECTION 2. Arkansas Code 6-82-302 is amended to read as follows:

36 6-82-302. Definitions.

1 As used in this subchapter, unless the context otherwise requires:

2 (1) "Approved institution" means a public or private college or
3 university:

4 (A) Dedicated to educational purposes, located in
5 Arkansas, or located out of state and educating Arkansas residents in
6 dentistry, optometry, veterinary medicine, podiatry, chiropractic, or
7 osteopathy under agreement with the Board of Control for Southern Regional
8 Education, accredited by an accrediting agency certified and recognized by
9 the United States Department of Education or the Division of Agency
10 Evaluation and Institutional Accreditation, or a school giving satisfactory
11 assurance that it has the potential for accreditation and is making progress
12 which, if continued, will result in its achieving accreditation;

13 (B) Which does not discriminate in the admission of
14 students on the basis of race, color, religion, sex, or national origin; and

15 (C) Which subscribes to the principle of academic freedom;

16 (2) "Department" means the Department of Higher Education;

17 (3) "Full-time student" means a resident of Arkansas who is in
18 attendance at an approved private or public institution and who is enrolled
19 in at least twelve (12) ~~semester hours~~ credit hours the first semester and
20 fifteen (15) hours thereafter; or other reasonable academic equivalent as
21 defined by the department;

22 (4) "Undergraduate student" means an individual who is enrolled
23 in a postsecondary educational program which leads to or is directly
24 creditable toward the individual's first baccalaureate degree;

25 (5) "Eligible student" means a resident of the State of Arkansas
26 as defined by the Department of Higher Education who is eligible for
27 admission as a full-time student and who declares an intent to matriculate in
28 an approved institution in Arkansas;

29 (6) "Scholarship" means an award to an eligible student for
30 matriculation in an approved institution in the State of Arkansas;

31 (7) "Competitive examination" means a standardized examination
32 measuring achievement which is administered annually on a specified date and
33 at a specified location and which is announced publicly;

34 (8) "Academic ability" means the intellectual standing of a
35 student. In determining superior academic ability, the department shall
36 examine the student's high school records, competitive examination scores,

1 and demonstrated leadership capabilities; and

2 (9)(A) "Extraordinary academic ability" means:

3 (i)(a) Achievement of a score of 32 or above on the
4 American College Test (ACT), or 1410 or above on the Scholastic Aptitude Test
5 (SAT); and

6 (b) For students graduating high school after
7 December 31, 2001, achievement of a high school grade point average of 3.5 or
8 above on a 4.0 scale, or

9 (ii) ~~selection~~ Selection as a finalist in either the
10 National Merit Scholarship competition or the National Achievement
11 Scholarship competition conducted by the National Merit Scholarship
12 Corporation.

13 (B) For students graduating after December 31, 2001, the
14 American College Test scores and Scholastic Aptitude Test scores shall be
15 earned by December 31 prior to the application deadline in order for the
16 scores to be considered by the department for a scholarship award.

17
18 SECTION 3. Arkansas Code 6-82-304 is amended to read as follows:
19 6-82-304. Administration - Authority of department.

20 The Department of Higher Education shall administer the Arkansas
21 Governor's Scholars Program and shall have the following authority and
22 responsibility with respect to the program:

23 (1) To prepare application forms or such other forms as the
24 department shall deem necessary to properly administer and carry out the
25 purposes of this subchapter;

26 (2) To establish and consult as necessary with an advisory
27 committee representing the public and private sectors of postsecondary
28 education and secondary schools in determining guidelines and regulations for
29 the administration of this program;

30 (3) To select recipients of scholarships awarded pursuant to the
31 provisions of this subchapter;

32 (4) To establish the procedures for payment of scholarships to
33 recipients; ~~and~~

34 (5) To set a termination date for the acceptance of
35 applications; ~~and~~

36 (6) To review and evaluate the operation of the program with

1 regard to eligibility criteria and size of the scholarship award to ensure
2 that the program's operation meets the intent of this legislation; and
3 (7) To determine the necessary procedures for the awarding of
4 scholarships should the number of eligible applicants exceed the funds
5 available.

6
7 SECTION 4. Arkansas Code 6-82-305 is amended to read as follows:

8 6-82-305. Recipients known as Arkansas Governor's Scholars or Arkansas
9 Governor's Distinguished Scholars.

10 (a) Students receiving scholarships shall be known as Arkansas
11 Governor's Scholars.

12 (b) Arkansas Governor's Scholarship recipients ~~Students~~ who exhibit
13 extraordinary academic ability shall be known as Arkansas Governor's
14 Distinguished Scholars.

15
16 SECTION 5. Arkansas Code 6-82-306 is amended to read as follows:

17 6-82-306. Eligibility.

18 (a) The Arkansas Governor's Scholars Program scholarships are to be
19 awarded to those students who demonstrate the highest capabilities for
20 successful college study.

21 (b) A student is eligible for this scholarship if:

22 (1) The individual has met the admission requirements and is
23 accepted for enrollment as a full-time undergraduate student in an eligible
24 public or private college or university in Arkansas;

25 (2) The individual is a bona fide resident of the state, as
26 defined by the department. Preference will be given to students who plan to
27 enter college at the beginning of the academic year directly following their
28 last year of high school attendance;

29 (3) The individual is a citizen of the United States or a
30 permanent resident alien; ~~and~~

31 (4)(A) The applicant has demonstrated proficiency in the
32 application of knowledge and skills in reading and writing literacy and
33 mathematics by passing the end of course examination as may be developed by
34 the Department of Education, and as may be designated by the Department of
35 Higher Education for this purpose;

36 (B) "End of course" examination shall mean those

1 examinations defined in § 6-15-419(4).

2 ~~(4)(5)(A)~~ The individual satisfactorily meets the qualifications
3 of superior academic ability as established by the department with such
4 criteria consisting of value points for academic achievement and leadership
5 including but not limited to:

6 (i) ACT or SAT score or National Merit Finalist or
7 National Achievement Finalist;

8 (ii) High school grade point average;

9 (iii) Rank in high school class; and

10 (iv) Leadership in school, community, and
11 employment;

12 (B) The Department of Higher Education shall have the
13 authority to alter the weight assigned to the individual criterion to more
14 appropriately meet the needs of the state as determined by the Arkansas
15 Higher Education Coordinating Board.

16 (c) The scholarship shall be weighed on the factors of achievement,
17 ability, and demonstrated leadership capabilities.

18 (d) Students who are selected as Arkansas Governor's Scholars who also
19 exhibit extraordinary academic ability as defined in this subchapter shall be
20 designated as Arkansas Governor's Distinguished Scholars.

21
22 SECTION 6. Arkansas Code 6-82-308 is amended to read as follows:

23 6-82-308. Number and geographic distribution of scholarships.

24 (a) ~~The~~ If sufficient funds are available, effective for students
25 receiving their initial awards beginning in fall, 2001, the number of initial
26 scholarship awards to eligible high achievers shall not exceed ~~three hundred~~
27 ~~(300)~~ two hundred seventy five (275) each year, to be distributed as follows:

28 (1) Up to two hundred fifty (250) Governor's Distinguished
29 Scholarships; and

30 (2) Twenty five (25) Governor's Scholarships at four thousand
31 dollars (\$4,000) per year. ~~However, one (1) such award shall be made to a~~
32 ~~student in each of the seventy five (75) counties, and the remainder shall be~~
33 ~~made to students from the state at large.~~

34 (b)(1) Effective for students receiving their initial awards beginning
35 in fall, 2002, up to two hundred fifty (250) initial Governor's Distinguished
36 Scholarship and twenty-five (25) initial Governor's Scholarship awards may be

1 made provided if, at the end of calendar year 2001 and each year thereafter,
2 the Department of Higher Education can demonstrate, based on economic
3 projections and revenue forecasts relative to the number of Academic
4 Challenge recipients then receiving the scholarship, that sufficient funds
5 are available for that purpose.

6 (2) A report of the same shall be submitted to the House and
7 Senate Interim Committees on Education and the Legislative Council for review
8 prior to obligating the funds.

9 (3) Should a shortfall of funds be projected, the department
10 shall promulgate regulations for the priority funding of these scholarships
11 and submit these proposed regulations to the Arkansas Higher Education
12 Coordinating Board for a public hearing and to the Legislative Council
13 through its Rules and Regulations Subcommittee for review before implementing
14 such regulations.

15 (c) The Department of Higher Education is authorized to adjust the
16 distribution of these scholarships to insure one (1) award in each of the
17 seventy-five (75) counties.

18
19 SECTION 7. Arkansas Code 6-82-311 is amended to read as follows:

20 6-82-311. Term, renewal, and allocation of scholarships.

21 (a) A scholarship may be awarded annually for a period not to exceed
22 an academic year.

23 (b)(1) The scholarships shall correspond to academic terms, semesters,
24 quarters, or equivalent time periods at the eligible institutions.

25 (2) In no instance may the entire amount of the grant for an
26 educational year be paid to or on behalf of students in advance.

27 ~~(c)(1) The~~ Provided sufficient funds are available, the scholarship
28 shall be awarded for one (1) academic year and renewed annually for three (3)
29 additional academic years if the following conditions for renewal are met:

30 (1) The student maintains not less than a 3.0 grade point
31 average on a 4.0 scholastic grading scale and meets other criteria as
32 established by the Department of Higher Education.

33 ~~(2) However, effective after July 1, 1999, a~~ A student receiving
34 the additional scholarship under § 6-82-312(b) must maintain maintains not
35 less than a 3.25 grade point average on a 4.0 scholastic grading scale.

36 (3) The recipient has completed a total of at least twenty-seven

1 (27) hours during the first full academic year and, if applicable, a total of
 2 at least thirty (30) hours per academic year thereafter;

3 (4) If the student is entering the junior year, the student has
 4 taken the standardized rising junior test provided for in § 6-61-114; and

5 (5) The recipient has met any other continuing eligibility
 6 criteria established by the Department of Higher Education.

7
 8 SECTION 8. Arkansas Code 6-82-312 is amended to read as follows:

9 6-82-312. Scholarship amounts.

10 (a) Scholarships awarded to new recipients who enroll in college as
 11 first-time entering freshmen after July 1, 1995, shall be in the amount of
 12 four thousand dollars (\$4,000) per year, provided funds are available.

13 (b) ~~Students~~ Provided sufficient funds are available, students who are
 14 were first-time entering freshmen after July 1, 1997 but before July 1, 2002,
 15 and who ~~exhibit~~ exhibited extraordinary academic achievement shall be
 16 awarded, in addition to the award in subsection (a) of this section, an
 17 amount per year which when combined with the award in subsection (a) of this
 18 section equals tuition, room and board, and mandatory fees charged in
 19 academic year 2000-2001 for a regular full-time course load by the approved
 20 institution in which the recipient is enrolled.

21 (c) Provided sufficient funds are available, students who are first-
 22 time entering freshmen after July 1, 2002, and who exhibit extraordinary
 23 academic achievement shall be awarded, in addition to the award in subsection
 24 (a) of this section, an amount per year which, when combined with the award
 25 in subsection (a) of this section, equals the lesser of:

26 (1) Ten thousand dollars (\$10,000); or

27 (2) Tuition, room and board, and mandatory fees charged for a
 28 regular full-time course load in academic year 2000-2001 by the approved
 29 institution in which the recipient is enrolled.

30
 31 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the
 32 General Assembly that the state does not have the funds to support the
 33 Arkansas Governor's Scholars Program in its current form; and that applicants
 34 graduating after December 31, 2000, will experience uncertainty regarding
 35 eligibility for the Arkansas Governor's Scholars Program; and that many
 36 applicants may be delayed in beginning their post-secondary education unless

1 changes in the scholarship program become effective in sufficient time to
2 allow scholarship awards to be made to those students needing to make
3 enrollment decisions for the 2001-2002 academic year. Therefore, an
4 emergency is declared to exist and this act being immediately necessary for
5 the preservation of the public peace, health and safety shall become
6 effective on April 30, 2001.

7
8 */s/ D. Malone, et al.*

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11 APPROVED: 4/18/2001
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