

ARKANSAS DIVISION OF HIGHER EDUCATION
RULES GOVERNING THE GOVERNOR'S HIGHER EDUCATION TRANSITION
SCHOLARSHIP PROGRAM

(Effective Date: ~~September 28, 2022~~)

1.00 REGULATORY AUTHORITY AND PURPOSE

- 1.01 These rules shall be known as the ~~Arkansas Department of Education~~ Division of Higher Education Rules Governing the Governor's Higher Education Transition Scholarship Program.
- 1.02 These rules are enacted pursuant to the ~~Arkansas~~ Higher Education Coordinating Board's authority under Ark. Code Ann. §§ 6-82-105 and Acts 2022, No. 215.
- 1.03 The purpose of these rules is to establish the requirements and processes governing the Governor's Higher Education Transition Scholarship Program.

2.00 GOVERNOR'S HIGHER EDUCATION TRANSITION SCHOLARSHIP

- 2.01 The ~~Arkansas~~ Division of Higher Education (~~ADHE~~) shall oversee the establishment of the Governor's Higher Education Transition Scholarship Program.
- 2.02 Continuation of the Governor's Higher Education Transition Scholarship Program shall be contingent upon available funding.

3.00 ORGANIZATION AND STRUCTURE

- 3.01 ~~ADHE~~ The Division of Higher Education shall administer the Governor's Higher Education Transition Scholarship Program.
- 3.02 ~~ADHE~~ The division shall establish application periods and deadlines.

4.00 ELIGIBILITY CRITERIA

- 4.01 The Governor's Higher Education Transition Program Scholarship may only be awarded to those students who are admitted into transition programs that are accredited by The Institute for Community Inclusion as Comprehensive Training Programs.

4.01.1 In order to be considered a qualifying institution, an institution must offer a transition program as described in 4.01 of these rules.

4.02 Students, or representatives acting on behalf of students, must complete the online scholarship application provided by ~~ADHE~~ the Division of Higher Education.

5.00 CONTINUED ELIGIBILITY

5.01 Recipients of the Governor's Higher Education Transition Scholarship will maintain award eligibility for a maximum of four (4) semesters as long as the recipients are continuously enrolled in a transition program.

6.00 SCHOLARSHIP AMOUNTS

6.01 Scholarship awards are contingent upon availability of funds.

6.02 Awards may not exceed the institutional cost of attendance. The maximum award amount is \$2,500.00 per semester that the student qualifies for the scholarship.

6.03 Awards may be applied to tuition, mandatory fees, programmatic fees, room and board, supplies, or extended support services.

7.00 PAYMENT OF SCHOLARSHIPS

7.01 ~~ADHE~~ The Division of Higher Education shall disburse scholarship funds to the qualifying institution of the recipient's choice via electronic funds transfer or state warrant.

7.02 After verification of enrollment, the institution will disburse the scholarship funds to the student according to the institution's disbursement procedures.

7.03 The scholarship payment will correspond to academic terms, semesters, quarters, or equivalent time periods at the institution.

7.03.1 For purposes of scholarship payments, academic terms at the institution may include summer terms, semesters, quarters, or their equivalent.

7.04 In no instance may the entire amount of the scholarship disbursement for an educational year be paid in advance to or on behalf of such student.

- 7.05 If the recipient of a scholarship withdraws, drops out, or is expelled on or after the first day of class of a payment period, the institution will determine whether the student received an overpayment of financial aid funds for non-institutional expenses.
- 7.05.1 Overpayment is the difference between the amount received as cash disbursements and the amount incurred for non-institutional costs during the portion of the payment period that the student was actually enrolled.
- 7.05.2 It is the institution's responsibility to contact students and recover overpayment(s).
- 7.05.3 The institution shall refund the overpayment(s) to ~~ADHE~~ the division.
- 7.06 If the award of a Governor's Higher Education Transition Program Scholarship results in an overpayment to the student per Ark. Code Ann. § 6-80-105, the institution shall follow the ADHE Scholarship Stacking Policy in reducing the student's financial package so that the student does not receive funds above the federally-recognized cost of attendance.

8.00 RESPONSIBILITIES OF QUALIFYING INSTITUTIONS

- 8.01 The chief executive officer of the qualifying institution is responsible for appointing one representative from the financial aid office to act as administrator of the Governor's Higher Education Transition Scholarship Program and to receive all communications, forms, and other correspondence related to the program. This representative will be responsible for verification, data and compliance with all program rules.
- 8.02 The institution shall maintain information regarding disbursement of scholarship funds.
- 8.03 The deadline for disbursement of funds is no later than ten (10) days after receipt of funds.
- 8.03.1 Any outstanding funds not disbursed by these dates must be returned to ~~ADHE~~ the Division of Higher Education.
- 8.03.2 If ~~ADHE~~ the division receives an application beyond the deadline referenced in 8.03 of these rules, disbursement will be made within ten (10)

business days of receipt of the verification roster and electronic transfer of funds.

- 8.04 In exercising its due diligence requirements as a steward of state funds, ~~ADHE~~ the division shall periodically review the qualifying institution's records concerning this program.
- 8.05 Upon request, the qualifying institution shall exercise due diligence in providing ~~ADHE~~ the division with complete, accurate, and timely information regarding current and former Governor's Higher Education Transition Scholarship Program recipients.
- 8.06 Institutions with accredited transition programs will certify students' admittance and enrollment prior to scholarship award.
- 8.07 The institution shall comply with all applicable ~~ADHE~~ law and rules in order to maintain its status as a qualified institution.

9.00 RESPONSIBILITIES OF RECIPIENTS

- 9.01 It is the recipient's responsibility to notify ~~ADHE~~ the Division of Higher Education of any change in status within twenty-one (21) days. ~~This will include, including~~ the recipient's:
 - 9.01.1 Change in name;
 - 9.01.2 Change in address; and
 - 9.01.3 Change in institution.
- 9.02 Failure to notify ~~ADHE~~ the division of a change in status may affect future eligibility.

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H2/14/23

A Bill

HOUSE BILL 1412

5 By: Representative J. Mayberry
6 By: Senator J. English
7

For An Act To Be Entitled

9 AN ACT CONCERNING RULES PROMULGATED BY THE DIVISION
10 OF HIGHER EDUCATION; TO REQUIRE THE DIVISION OF
11 HIGHER EDUCATION TO PROMULGATE CERTAIN RULES
12 CONCERNING THE ADMINISTRATION OF SCHOLARSHIPS FUNDED
13 WITH STATE FUNDS AND LOTTERY PROCEEDS; TO DECLARE AN
14 EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

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18 TO REQUIRE THE DIVISION OF HIGHER
19 EDUCATION TO PROMULGATE CERTAIN RULES
20 CONCERNING THE ADMINISTRATION OF
21 SCHOLARSHIPS FUNDED WITH STATE FUNDS AND
22 LOTTERY PROCEEDS; AND TO DECLARE AN
23 EMERGENCY.
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25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code Title 6, Chapter 80, Subchapter 1, is amended
29 to add an additional section to read as follows:

30 6-80-109. Division of Higher Education – Rules.

31 (a) The Division of Higher Education shall promulgate or update
32 existing division rules to allow a student who is a recipient of a
33 scholarship to utilize scholarship funds to enroll in and attend courses
34 offered during a summer term at the postsecondary institution in which the
35 student is enrolled.

36 (b) Rules promulgated under this section shall include without



1 limitation requirements concerning:

2 (1) Student eligibility; and

3 (2) The disbursement and administration of scholarship funds
4 utilized by a student to enroll in and attend courses offered during a summer
5 term.

6 (c) As used in this section, "scholarship" shall include a scholarship
7 program that is:

8 (1) Funded with state funds or lottery proceeds; and

9 (2) Administered by the division.

10
11 SECTION 2. Arkansas Code § 6-85-204(14), concerning the definition of
12 "semester" under the Arkansas Academic Challenge Scholarship Program, is
13 amended to read as follows:

14 (14)(A) "Semester" means one-half ($\frac{1}{2}$) of a traditional academic
15 year at an institution of higher education, or an equivalent approved by the
16 division, in which a student enrolls for not less than:

17 ~~(A)(i)~~ Fifteen (15) credit hours as a full-time student,
18 except that in the first semester as a first-time full-time freshman, a
19 traditional student shall enroll in not less than twelve (12) credit hours;
20 or

21 ~~(B)(ii)~~ Six (6) credit hours as a part-time student.

22 (B) For purposes of summer courses at an institution of
23 higher education, a "semester" shall mean the same as is defined by the
24 division, as required by § 6-80-109;

25
26 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
27 General Assembly of the State of Arkansas that the Division of Higher
28 Education must make certain arrangements to facilitate the use of Arkansas
29 Academic Challenge Scholarship funds for upcoming summer courses; and that
30 many of these arrangements must occur in time for the 2023-2024 school year.
31 Therefore, an emergency is declared to exist, and this act being necessary
32 for the preservation of the public peace, health, and safety shall become
33 effective on July 1, 2023.

34
35 /s/J. Mayberry

36 **APPROVED: 3/30/23**

Stricken language will be deleted and underlined language will be added.
Act 870 of the Regular Session

1 State of Arkansas As Engrossed: S1/30/23 S2/13/23 S4/3/23

2 94th General Assembly

A Bill

3 Regular Session, 2023

SENATE BILL 75

4

5 By: Joint Budget Committee

6

7

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 EDUCATION - DIVISION OF HIGHER EDUCATION FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2024; AND FOR OTHER
12 PURPOSES.

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Subtitle

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

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SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby established for the Department of Education - Division of Higher Education for the 2023-2024 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual Salary Rate
No.	Code	No. of Employees	Fiscal Year
			2023-2024
(1)	U024U DHE DIRECTOR	1	GRADE SE05
(2)	D022N IT SENIOR PROJECT MANAGER	1	GRADE IT09
(3)	D012C DATABASE SPECIALIST	2	GRADE IT08
(4)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08



1	(5)	D028C SENIOR SOFTWARE SUPPORT SPECIALIST	1	GRADE IT07
2	(6)	D016C SENIOR TECHNOLOGY ANALYST	1	GRADE IT06
3	(7)	G281C ADE POLICY & SPECIAL PROJECTS DIRECTOR	1	GRADE GS15
4	(8)	N002N DHE SENIOR ASSOC DIRECTOR	1	GRADE GS15
5	(9)	N069N ADE SPECIAL ADVISOR	1	GRADE GS14
6	(10)	N055N DHE ASSOCIATE DIRECTOR	1	GRADE GS14
7	(11)	A010C AGENCY CONTROLLER II	1	GRADE GS13
8	(12)	N054N DHE CAREER PATHWAYS DIRECTOR	1	GRADE GS13
9	(13)	N167N DHS POLICY & RESEARCH DIRECTOR	1	GRADE GS12
10	(14)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
11	(15)	G058C DHE FEDERAL PROGRAM MANAGER	2	GRADE GS11
12	(16)	E061C ACE PROGRAM COORDINATOR	1	GRADE GS10
13	(17)	G071C DHE PROGRAM COORDINATOR	6	GRADE GS10
14	(18)	E062C ACE PROGRAM ADVISOR	2	GRADE GS09
15	(19)	G102C DHE PROGRAM SPECIALIST	18	GRADE GS09
16	(20)	G080C NATIONAL & COMMUNITY SVCS EXEC. DIR.	1	GRADE GS09
17	(21)	G295C OSTEOPATHIC RURAL MED PROG ADMIN	1	GRADE GS09
18	(22)	P005C DHE COMMUNICATIONS COORDINATOR	1	GRADE GS08
19	(23)	G147C GRANTS COORDINATOR	1	GRADE GS07
20	(24)	G176C VOLUNTEER PROGRAM MANAGER	1	GRADE GS07
21	(25)	G214C GRANTS SPECIALIST	1	GRADE GS06
22	(26)	A084C PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE GS06
23	(27)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
24	(28)	C056C ADMINISTRATIVE SPECIALIST III	1	GRADE GS04
25	(29)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
26		MAX. NO. OF EMPLOYEES	54	

27

28 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby
 29 authorized, for the Department of Education - Division of Higher Education
 30 for the 2023-2024 fiscal year, the following maximum number of part-time or
 31 temporary employees, to be known as "Extra Help", payable from funds
 32 appropriated herein for such purposes: fifteen (15) temporary or part-time
 33 employees, when needed, at rates of pay not to exceed those provided in the
 34 Uniform Classification and Compensation Act, or its successor, or this act
 35 for the appropriate classification.

36

1 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby
 2 appropriated, to the Department of Education, to be payable from the Division
 3 of Higher Education Fund Account, for personal services and operating
 4 expenses of the Department of Education - Division of Higher Education -
 5 General Operations for the fiscal year ending June 30, 2024, the following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2023-2024</u>
9 (01) REGULAR SALARIES	\$2,157,909
10 (02) EXTRA HELP	75,000
11 (03) PERSONAL SERVICES MATCHING	691,934
12 (04) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	959,346
14 (B) CONF. & TRAVEL	24,659
15 (C) PROF. FEES	50,000
16 (D) CAP. OUTLAY	0
17 (E) DATA PROC.	0
18 (05) STATEWIDE SCHOLARSHIP AND GRANT	
19 PROMOTION	<u>295,000</u>
20 TOTAL AMOUNT APPROPRIATED	<u><u>\$4,253,848</u></u>

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 22 SECTION 4. EXTRA HELP - STATE BOARD OF PRIVATE CAREER EDUCATION. There
 23 is hereby authorized, for the Department of Education - Division of Higher
 24 Education - State Board of Private Career Education for the 2023-2024 fiscal
 25 year, the following maximum number of part-time or temporary employees, to be
 26 known as "Extra Help", payable from funds appropriated herein for such
 27 purposes: two (2) temporary or part-time employees, when needed, at rates of
 28 pay not to exceed those provided in the Uniform Classification and
 29 Compensation Act, or its successor, or this act for the appropriate
 30 classification.

31
 32 SECTION 5. APPROPRIATION - STATE BOARD OF PRIVATE CAREER EDUCATION -
 33 OPERATIONS. There is hereby appropriated, to the Department of Education, to
 34 be payable from the Private Career Education Fund, for personal services and
 35 operating expenses of the Department of Education - Division of Higher
 36 Education - State Board of Private Career Education - Operations for the

1 fiscal year ending June 30, 2024, the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (01) REGULAR SALARIES	\$161,777
6 (02) EXTRA HELP	20,000
7 (03) PERSONAL SERVICES MATCHING	51,726
8 (04) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	63,000
10 (B) CONF. & TRAVEL	4,000
11 (C) PROF. FEES	6,000
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$306,503</u></u>

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16 SECTION 6. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS
 17 SCHOLARSHIPS. There is hereby appropriated, to the Department of Education,
 18 to be payable from the Higher Education Grants Fund Account, for providing
 19 student assistance grants and various scholarships as provided by law of the
 20 Department of Education - Division of Higher Education - Student Assistance
 21 Grants and Various Scholarships for the fiscal year ending June 30, 2024, the
 22 following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2023-2024</u>
26 (01) ARKANSAS FUTURE GRANTS	\$5,000,000
27 (02) NATIONAL GUARD TUITION ASSISTANCE	
28 PROGRAM	1,400,000
29 (03) SINGLE PARENT SCHOLARSHIP PROGRAM	175,000
30 (04) STATE TEACHER EDUCATION PROGRAM	4,000,000
31 (05) TEACHER OPPORTUNITY PROGRAM	2,500,000
32 (06) AR GEOGRAPHICAL CRITICAL NEEDS	
33 MINORITY TEACHER SCHOLARSHIPS	150,000
34 (07) DEPENDENTS OF LAW ENFORCEMENT	
35 OFFICERS, ETC SCHOLARSHIPS	400,000
36 (08) DEPENDENTS OF POWS, MIAS,	

1	KIAS-TUITION WAIVER SCHOLARSHIPS	1,500,000
2	(09) GOVERNOR'S HIGHER EDUCATION	
3	TRANSITION SCHOLARSHIP PROGRAM	2,000,000
4	(10) SREB MINORITY DOCTORAL SCHOLARS	175,000
5	(11) WASHINGTON CENTER SCHOLARSHIPS	150,000
6	(12) TUITION ADJUSTMENT	350,000
7	(13) AR ACADEMIC CHALLENGE SCHOLARSHIPS	25,000,000
8	(14) AR GOVERNOR'S SCHOLAR	22,000,000
9	(15) STUDENT UNDERGRADUATE RESEARCH	
10	FELLOWSHIP PROGRAM (SURF)	<u>150,000</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$64,950,000</u>

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13 SECTION 7. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS.

14 There is hereby appropriated, to the Department of Education, to be payable
 15 from the federal funds as designated by the Chief Fiscal Officer of the
 16 State, for personal services and operating expenses of the Department of
 17 Education - Division of Higher Education - Technical Education - Federal
 18 Programs for the fiscal year ending June 30, 2024, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2023-2024</u>
22	(01) REGULAR SALARIES	\$152,979
23	(02) PERSONAL SERVICES MATCHING	49,014
24	(03) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	108,271
26	(B) CONF. & TRAVEL	80,000
27	(C) PROF. FEES	157,000
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	<u>0</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$547,264</u>

31

32 SECTION 8. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is

33 hereby appropriated, to the Department of Education, to be payable from the
 34 Research Development Fund, for providing Arkansas Research Development
 35 Program Grants to Institutions of Higher Education by the Department of
 36 Education - Division of Higher Education for the fiscal year ending June 30,

1 2024, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (01) RESEARCH AND DEVELOPMENT PROGRAM	
6 GRANTS	<u>\$1,000,000</u>

7

8 SECTION 9. APPROPRIATION - HEALTH EDUCATION GRANTS AND LOANS. There is
 9 hereby appropriated, to the Department of Education, to be payable from the
 10 Higher Education Grants Fund Account, for payments of contracts and loans
 11 with participating out-of-state institutions of higher learning in the fields
 12 of dentistry, optometry, veterinary medicine, chiropractic, and podiatry for
 13 the education of Arkansas citizens by the Department of Education - Division
 14 of Higher Education - Health Education Grants and Loans for the fiscal year
 15 ending June 30, 2024, the following:

16

17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2023-2024</u>
19 (01) CHIROPRACTIC AID	\$260,000
20 (02) DENTAL AID - GRANTS	2,950,000
21 (03) OPTOMETRY AID - GRANTS	650,000
22 (04) PODIATRY AID	130,400
23 (05) VETERINARY AID FORGIVENESS PROGRAM	1,750,000
24 (06) DENTAL AID - LOANS	987,370
25 (07) OPTOMETRY AID - LOANS	140,000
26 (08) VETERINARY MED. LOAN FORGIVENESS	
27 PROGRAM	<u>250,000</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$7,117,770</u>

29

30 SECTION 10. APPROPRIATION - CASH. There is hereby appropriated, to the
 31 Department of Education, to be payable from the cash fund deposited in the
 32 State Treasury as determined by the Chief Fiscal Officer of the State, for
 33 operating expenses of the Department of Education - Division of Higher
 34 Education - Cash for the fiscal year ending June 30, 2024, the following:

35

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2023-2024</u>
2	(01) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$269,233
4	(B) CONF. & TRAVEL	32,865
5	(C) PROF. FEES	63,932
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	0
8	(02) SCHOLARSHIPS	<u>50,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$416,030</u></u>

10

11 SECTION 11. APPROPRIATION - PRIVATE CAREER EDUCATION BOARD - CASH.

12 There is hereby appropriated, to the Department of Education, to be payable
 13 from the cash fund deposited in the State Treasury as determined by the Chief
 14 Fiscal Officer of the State, for operating expenses of the Department of
 15 Education - Division of Higher Education - Private Career Education Board -
 16 Cash for the fiscal year ending June 30, 2024, the following:

17

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2023-2024</u>
20	(01) MAINT. & GEN. OPERATION	
21	(A) OPER. EXPENSE	\$9,500
22	(B) CONF. & TRAVEL	6,000
23	(C) PROF. FEES	5,000
24	(D) CAP. OUTLAY	0
25	(E) DATA PROC.	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u><u>\$20,500</u></u>

27

28 SECTION 12. APPROPRIATION - STUDENT PROTECTION TRUST. There is hereby
 29 appropriated, to the Department of Education, to be payable from the Private
 30 Career School Student Protection Trust Fund, for expenses, claims and fees of
 31 the Department of Education - Division of Higher Education - State Board of
 32 Private Career Education - Student Protection Trust for the fiscal year
 33 ending June 30, 2024, the following:

34

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2023-2024</u>

1 (01) EXPENSES/CLAIMS/FEES \$300,000

2

3 SECTION 13. APPROPRIATION - TANF PROGRAM - FEDERAL. There is hereby
4 appropriated, to the Department of Education, to be payable from the federal
5 funds as designated by the Chief Fiscal Officer of the State, for personal
6 services, operating expenses, grants and aid by the Department of Education -
7 Division of Higher Education - TANF Program - Federal for the fiscal year
8 ending June 30, 2024, the following:

9

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2023-2024</u>
12 (01) REGULAR SALARIES	\$280,701
13 (02) PERSONAL SERVICES MATCHING	87,816
14 (03) MAINT. & GEN. OPERATION	
15 (A) OPER. EXPENSE	80,000
16 (B) CONF. & TRAVEL	60,000
17 (C) PROF. FEES	70,000
18 (D) CAP. OUTLAY	0
19 (E) DATA PROC.	0
20 (04) SELF SUFFICIENCY/JOB TRAINING GRANTS	6,821,431
21 (05) ENROLLMENT AND EDUCATION	<u>3,000,000</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$10,399,948</u>

23

24 SECTION 14. APPROPRIATION - WEB BASED APPLICATIONS. There is hereby
25 appropriated, to the Department of Education, to be payable from the Higher
26 Education Grants Fund Account, for personal services and operating expenses
27 associated with web based applications of the Department of Education -
28 Division of Higher Education - Web Based Applications for the fiscal year
29 ending June 30, 2024, the following:

30

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2023-2024</u>
33 (01) WEB BASED APPLICATIONS PERSONAL	
34 SERVICES AND OPERATING EXPENSES	<u>\$1,000,000</u>

35

36 SECTION 15. APPROPRIATION - SCHOLARSHIP ADMINISTRATION. There is

1 hereby appropriated, to the Department of Education, to be payable from the
 2 Higher Education Grants Fund Account, for personal services and operating
 3 expenses of the Department of Education - Division of Higher Education -
 4 Scholarship Administration for the fiscal year ending June 30, 2024, the
 5 following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2023-2024</u>
9 (01) REGULAR SALARIES	\$467,936
10 (02) EXTRA HELP	10,000
11 (03) PERSONAL SERVICES MATCHING	163,738
12 (04) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	500,000
14 (B) CONF. & TRAVEL	0
15 (C) PROF. FEES	30,000
16 (D) CAP. OUTLAY	0
17 (E) DATA PROC.	<u>0</u>
18 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,171,674</u></u>

19
 20 SECTION 16. APPROPRIATION - WORKFORCE INITIATIVE ACT OF 2015. There is
 21 hereby appropriated, to the Department of Education, to be payable from the
 22 Workforce Initiative Act of 2015 Fund, for workforce education grants,
 23 administrative and operating expenses of the Department of Education -
 24 Division of Higher Education - Workforce Initiative Act of 2015 for the
 25 fiscal year ending June 30, 2024, the following:

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2023-2024</u>
29 (01) WORKFORCE INITIATIVE ACT OF 2015	
30 EXPENSES	<u><u>\$8,000,000</u></u>

31
 32 SECTION 17. APPROPRIATION - VETERAN'S APPROVING AGENCY - FEDERAL.
 33 There is hereby appropriated, to the Department of Education, to be payable
 34 from the federal funds as designated by the Chief Fiscal Officer of the
 35 State, for personal services and operating expenses of the Department of
 36 Education - Division of Higher Education - Veteran's Approving Agency -

1 Federal for the fiscal year ending June 30, 2024, the following:

2		
3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2023-2024</u>
5	(01) REGULAR SALARIES	\$217,507
6	(02) PERSONAL SERVICES MATCHING	77,703
7	(03) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	53,546
9	(B) CONF. & TRAVEL	9,623
10	(C) PROF. FEES	0
11	(D) CAP. OUTLAY	0
12	(E) DATA PROC.	<u>0</u>
13	TOTAL AMOUNT APPROPRIATED	<u><u>\$358,379</u></u>

14

15 SECTION 18. APPROPRIATION - AMERICORPS - OPERATIONS. There is hereby
 16 appropriated, to the Department of Education, to be payable from the Division
 17 of Higher Education Fund Account, for personal services, operating expenses,
 18 and grants and aid by the Department of Education - Division of Higher
 19 Education - AmeriCorps - Operations for the fiscal year ending June 30, 2024,
 20 the following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2023-2024</u>
24	(01) REGULAR SALARIES	\$314,152
25	(02) EXTRA HELP	30,000
26	(03) PERSONAL SERVICES MATCHING	116,071
27	(04) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	363,650
29	(B) CONF. & TRAVEL	85,650
30	(C) PROF. FEES	2,500
31	(D) CAP. OUTLAY	0
32	(E) DATA PROC.	0
33	(05) GRANTS AND AID	<u>50,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u><u>\$962,023</u></u>

35

36 SECTION 19. APPROPRIATION - AMERICORPS - GRANTS AND AID. There is

1 hereby appropriated, to the Department of Education, to be payable from the
2 Division of Higher Education Fund Account, for grants and aid by the
3 Department of Education - Division of Higher Education - AmeriCorps - Grants
4 and Aid for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) GRANTS AND AID	<u>\$2,010,704</u>

9
10 SECTION 20. APPROPRIATION - OSTEOPATHIC RURAL MEDICAL PRACTICE STUDENT
11 LOAN AND SCHOLARSHIP PROGRAM. There is hereby appropriated, to the
12 Department of Education, to be payable from the Higher Education Grants Fund
13 Account, for Osteopathic Rural Medical Practice Student Loan & Scholarship
14 Program loans and/or scholarships by the Department of Education - Division
15 of Higher Education - Osteopathic Rural Medical Practice Student Loan and
16 Scholarship Program for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) OSTEOPATHIC RURAL MEDICAL PRACTICE STUDENT LOANS/SCHOLARSHIP	<u>\$400,000</u>

22
23 SECTION 21. APPROPRIATION - GRADUATE MEDICAL EDUCATION RESIDENCY
24 EXPANSION BOARD. There is hereby appropriated, to the Department of
25 Education, to be payable from the Graduate Medical Education Fund, for
26 planning grants to eligible entities for graduate medical education residency
27 program expansion or new programs, and for board expenses and reimbursements
28 of the Department of Education - Division of Higher Education for the fiscal
29 year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) GRADUATE MEDICAL EDUCATION RESIDENCY EXPANSION BOARD	<u>\$10,000,000</u>

35
36 SECTION 22. APPROPRIATION - HISTORICALLY BLACK COLLEGES AND

1 UNIVERSITIES GRANTS AND EXPANSES. There is hereby appropriated, to the
 2 Department of Education, to be payable from the Higher Education Grants Fund
 3 Account, for grants for scholarships to Historically Black Colleges and
 4 Universities and for personal services and operating expenses as determined
 5 by the Division of Higher Education for outreach programs to promote
 6 awareness of those scholarships of the Department of Education - Division of
 7 Higher Education - HBCU Grants and Expenses for the fiscal year ending June
 8 30, 2024, the following:

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2023-2024</u>
12 (01) HBCU GRANTS AND EXPENSES	<u>\$4,000,000</u>

13
 14 SECTION 23. APPROPRIATION - NURSING PROGRAM EXPANSION GRANTS. There is
 15 hereby appropriated, to the Department of Education, to be payable from the
 16 Workforce Initiative Act of 2015 Fund, for grants for the expansion or
 17 creation of nursing programs at eligible institutions of higher education
 18 statewide by the Department of Education - Division of Higher Education for
 19 the fiscal year ending June 30, 2024, the following:

21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2023-2024</u>
23 (01) NURSING PROGRAM EXPANSION GRANTS	<u>\$3,000,000</u>

24
 25 SECTION 24. APPROPRIATION - ARKANSAS TEACHER ACADEMY SCHOLARSHIP
 26 PROGRAM. There is hereby appropriated, to the Department of Education, to be
 27 payable from the Arkansas Teacher Academy Scholarship Program Fund, for
 28 scholarships, personal services, and operating expenses necessary to create
 29 and maintain the Arkansas Teacher Academy Scholarship Program by the
 30 Department of Education - Division of Higher Education - Arkansas Teacher
 31 Academy Scholarship Program for the fiscal year ending June 30, 2024, the
 32 following:

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2023-2024</u>
36 (01) ARKANSAS TEACHER ACADEMY SCHOLARSHIP PROGRAM	<u>\$12,000,000</u>

1 SECTION 25. REGULAR SALARIES - NORTHWEST TECHNICAL INSTITUTE. There is
 2 hereby established for the Department of Education - Division of Higher
 3 Education - Northwest Technical Institute for the 2023-2024 fiscal year, the
 4 following maximum number of regular employees.

5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
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SECTION 26. EXTRA HELP - NORTHWEST TECHNICAL INSTITUTE. There is hereby authorized, for the Department of Education - Division of Higher Education - Northwest Technical Institute for the 2023-2024 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one hundred thirty-five (135) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 27. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - STATE. There is hereby appropriated, to the Department of Education, to be payable from the Northwest Technical Institute Fund, for personal services and operating expenses of the Department of Education - Division of Higher Education - Northwest Technical Institute - State for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) REGULAR SALARIES	\$3,585,355
(02) EXTRA HELP	516,673
(03) PERSONAL SERVICES MATCHING	1,274,568
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	639,564
(B) CONF. & TRAVEL	44,866
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$6,061,026</u></u>

SECTION 28. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - FEDERAL. There is hereby appropriated, to the Department of Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Education - Division of Higher Education - Northwest Technical Institute -

1 Federal for the fiscal year ending June 30, 2024, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (01) REGULAR SALARIES	\$50,322
6 (02) EXTRA HELP	245,000
7 (03) PERSONAL SERVICES MATCHING	38,576
8 (04) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	14,278
10 (B) CONF. & TRAVEL	0
11 (C) PROF. FEES	0
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$348,176</u></u>

15

16 SECTION 29. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - CASH.

17 There is hereby appropriated, to the Department of Education, to be payable
 18 from cash funds as defined by Arkansas Code 19-4-801, for personal services
 19 and operating expenses of the Department of Education - Division of Higher
 20 Education - Northwest Technical Institute - Cash for the fiscal year ending
 21 June 30, 2024, the following:

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2023-2024</u>
24 (01) REGULAR SALARIES	\$967,161
25 (02) EXTRA HELP	556,450
26 (03) PERSONAL SERVICES MATCHING	462,988
27 (04) MAINT. & GEN. OPERATION	
28 (A) OPER. EXPENSE	1,394,530
29 (B) CONF. & TRAVEL	15,000
30 (C) PROF. FEES	375,000
31 (D) CAP. OUTLAY	200,000
32 (E) DATA PROC.	0
33 (05) RESALE	<u>325,000</u>
34 TOTAL AMOUNT APPROPRIATED	<u><u>\$4,296,129</u></u>

35

36 SECTION 30. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 25,

1 Chapter 7, Subchapter 1, is amended to add an additional section to codify
2 special language in appropriation acts to read as follows:

3 25-7-103. Emergency grants – Extra help pool.

4 (a) An institution of higher education affected by a disaster
5 emergency resulting in the interruption of all or a significant portion of
6 campus operations may request disaster assistance through the Division of
7 Higher Education.

8 (b) Upon the declaration of a disaster emergency by the Governor under
9 § 12-75-107, an institution of higher education affected by the disaster
10 emergency may request, subject to the recommendation of the Director of the
11 Division of Higher Education and approval by the Governor, a grant from the
12 Disaster Relief Fund to:

13 (1) Return the institution of higher education to normal
14 operations; or

15 (2)(A) Enable a campus that is part of and incorporated into the
16 institution of higher education affected by the disaster emergency to provide
17 services to the students enrolled in the campus of the institution of higher
18 education affected by the disaster emergency.

19 (B) A certified law enforcement officer employed by an
20 institution of higher education during the declaration of a disaster
21 emergency by the Governor under § 12-75-107 may be granted jurisdiction at a
22 campus that is part of and incorporated into the institution of higher
23 education affected by the disaster emergency upon agreement of both campuses.

24 (c)(1) The division is authorized a pool of five hundred (500) extra
25 help positions for use in an emergency or a disaster event.

26 (2) The extra help positions authorized under subdivision (c)(1)
27 of this section may be assigned to:

28 (A) The campus affected by the disaster emergency; or

29 (B) A campus that is part of and incorporated into the
30 institution of higher education affected by the disaster emergency that is
31 providing services to the students enrolled in the campus affected by the
32 disaster emergency.

33 (3) The Governor may waive the restriction on periods of time
34 during which an employee may be employed as extra help during a fiscal year
35 under § 6-63-314.

36

1 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 DHE - REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon
4 determination by the president or chancellor of an institution of higher
5 education that a reallocation of resources for purposes of reorganization or
6 consolidation of administrative functions within the institution is necessary
7 for efficient and effective operations of the institution, the president or
8 chancellor, with approval of the institution's board of trustees, may have
9 the authority to transfer positions, appropriations and related funds between
10 campuses, divisions, branches, and other budgetary units of the institution,
11 after receiving prior approval of the Legislative Council or Joint Budget
12 Committee. The transfers of positions, programs, or activities shall be used
13 for those purposes for which the appropriations were approved by the General
14 Assembly. The transfers, consolidations, or reorganizations which involve
15 academic programs shall be reviewed by the Division of Higher Education prior
16 to submission to the Legislative Council or Joint Budget Committee. Provided,
17 however, that the institution shall be limited to submitting no more than two
18 (2) individual transaction transfer requests during any fiscal year and shall
19 be further limited to no more than five percent (5%) of the total General
20 Revenue and Special Revenue appropriation, funding, positions specific to
21 each institution, and no Tobacco Settlement funds or appropriations may be
22 reallocated pursuant to this section.

23 Determining the maximum number of employees and the maximum amount of
24 appropriation and general revenue funding for institutions of higher
25 education each fiscal year is the prerogative of the General Assembly. This
26 is usually accomplished by delineating such maximums in the appropriation
27 act(s) for institutions of higher education and the general revenue
28 allocations authorized for each fund and fund account by amendment to the
29 Revenue Stabilization law. Further, the General Assembly has determined that
30 institutions of higher education may operate more efficiently if some
31 flexibility is provided to institutions of higher education authorizing broad
32 powers under this section. Therefore, it is both necessary and appropriate
33 that the General Assembly maintain oversight by requiring prior approval of
34 the Legislative Council or Joint Budget Committee as provided by this
35 section. The requirement of approval by the Legislative Council or Joint
36 Budget Committee is not a severable part of this section. If the requirement

1 of approval by the Legislative Council or Joint Budget Committee is ruled
2 unconstitutional by a court of competent jurisdiction, this entire section is
3 void.

4 The provisions of this section shall be in effect only from July 1, ~~2022~~
5 2023 through June 30, ~~2023~~ 2024.

6
7 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 DHE - WORK FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be
10 made available to the various technical colleges have been determined as set
11 out in Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B), such
12 documents as may be necessary shall be processed so that funds may be
13 transferred from the Work Force 2000 Development Fund to the State Treasury
14 fund or fund account from which the technical college draws its general
15 revenue support. Such funds as may be transferred shall not exceed 93.691%
16 of the total funds available from the Work Force 2000 Development Fund during
17 the fiscal year.

18 In the event that a technical institute or comprehensive lifelong learning
19 center which receives support from the Work Force 2000 Development Fund as
20 determined by law transfers or merges into the Arkansas Technical College and
21 Community College System for which Work Force 2000 Development Fund monies
22 are determined by law, then the actual amount of support from the Work Force
23 2000 Development Fund in the preceding fiscal year for such educational
24 institution shall be made available irrespective of any other provision of
25 law which sets out maximum levels of support from such fund.

26 The funds distributed under Arkansas Code 26-51-205(d)(2)(C) in excess of
27 those amounts collected and distributed prior to June 30, 2014 shall be
28 deposited into the Skills Development Fund to be used only for personal
29 services, grants, operation, support, and improvement of occupational,
30 vocational, technical, and workforce development programs by the Department
31 of Career Education - Office of Skills Development. The distributions of
32 funds under Arkansas Code 26-51-205(d)(2)(C) in excess of those amounts
33 collected and distributed prior to June 30, 2014 shall not apply to proceeds
34 allocated to schools, colleges and educational institutions under Arkansas
35 Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B).

36 The provisions of this section shall be in effect only from July 1, ~~2022~~

1 2023 through June 30, ~~2023~~ 2024.

2

3 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
5 DHE - BUILDING MAINTENANCE FUND. After the sum of \$13,200,000 has been
6 deposited into the Higher Education Building Maintenance Fund, any additional
7 deposits are to be transferred to the Research Development Fund there to be
8 used as provided by law.

9 The provisions of this section shall be in effect only from July 1, ~~2022~~
10 2023 through June 30, ~~2023~~ 2024.

11

12 SECTION 34. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-81-
13 1101(f), concerning tuition assistance for certain professional schools, is
14 amended to codify special language in appropriation acts to read as follows:

15 (f)(1)(A)(i) The Arkansas Higher Education Coordinating Board, after
16 consulting with the recognized associations of each of the applicable medical
17 professions and other interested persons, shall determine the priorities for
18 the grants and loans under this section.

19 (ii) The division shall readjust, if necessary, the
20 number of positions for entering students to be funded for each grant or loan
21 based upon the priorities determined by the board.

22 (B) The division will allocate, based upon funds
23 appropriated, the number of eligible grant recipients to receive funds at
24 each participating institution for each applicable academic period.

25 (2)(A) Each participating institution will select eligible grant
26 recipients for each applicable academic period.

27 (B) In the event that the number of eligible students
28 accepted for enrollment at such participating institution exceeds the number
29 of eligible grant recipients for whom funds have been allocated by the
30 division from funds appropriated, such participating institution shall have
31 sole discretion in selecting the eligible students to designate as eligible
32 grant recipients.

33 (3) The division shall make grants according to the allocations
34 made by the division and selections made by the participating institutions.
35 The division shall have no obligation to make any grants except to the extent
36 that funds have been appropriated and funded for the program.

1
2 SECTION 35. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 6,
3 Chapter 61, Subchapter 2, is amended to add an additional section to codify
4 special language in appropriation acts to read as follows:

5 6-61-235. Reporting requirements – Financial aid programs.

6 The Division of Higher Education shall report annually by May 30 to the
7 House Committee on Education and the Senate Committee on Education the:

8 (1) Budgeted allocation for each financial aid program that is
9 funded through the Higher Education Grants Fund Account for the upcoming
10 fiscal year; and

11 (2) Projections for the following fiscal year for the budgeted
12 allocation for each financial aid program that is funded through the Higher
13 Education Grants Fund Account.

14
15 SECTION 36. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 21-5-
16 1404, concerning effect of the Higher Education Uniform Classification and
17 Compensation Act on appropriation acts, is amended to add an additional
18 subsection to codify special language in appropriation acts to read as
19 follows:

20 (e)(1) New funding through the Revenue Stabilization Law, § 19-5-101
21 et seq., that is determined by the Division of Higher Education to have been
22 for salary increases for the current fiscal year for institutions of higher
23 education shall be used exclusively for salary increases.

24 (2) New funding through the Revenue Stabilization Law, § 19-5-
25 101 et seq., that is actually received for salary increases shall be spent
26 exclusively for salary increases based upon the state general revenue portion
27 of total unrestricted educational and general revenue.

28 (3)(A) Funding received under this subsection shall be used for
29 no purposes other than to provide salary increases.

30 (B) Any designated funds not used for salary increases
31 under this subsection shall be recouped at the end of each fiscal year and
32 transferred by the division to the General Revenue Allotment Reserve Fund.

33
34 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
36 DHE PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall

1 transfer sufficient funding for the fiscal year from the Higher Education
2 Grants Fund Account to the Division of Higher Education Fund Account in order
3 to finance the personal services costs of a DHE Program Coordinator.

4 The provisions of this section shall be in effect only from July 1, ~~2022~~
5 2023 through June 30, ~~2023~~ 2024.

6
7 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 DHE - TRANSFER PROVISION. Upon certification by the Director of the Division
10 of Higher Education that transfers are needed to make maximum utilization of
11 funds and appropriations provided for financial aid programs, and with the
12 approval of the Chief Fiscal Officer of the State and a review by the
13 Arkansas Legislative Council or Joint Budget Committee, funds and
14 appropriations may be transferred between financial aid programs to more
15 adequately align the appropriation with the number of eligible students.

16 The provisions of this section shall be in effect only from July 1, ~~2022~~
17 2023 through June 30, ~~2023~~ 2024.

18
19 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 DHE - TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH
22 EDUCATION GRANTS AND LOANS. Upon certification to and with the approval of
23 the Chief Fiscal Officer of the State, surplus funds and appropriations may
24 be transferred between the appropriations provided for "Health Education
25 Grants and Loans" by this Act by the General Assembly for Dental Aid Grants
26 and Loans, Optometry Aid Grants and Loans, Veterinary Aid, Veterinary Med.
27 Loan Forgiveness Program, Podiatry Aid, and Chiropractic Aid.

28 The provisions of this section shall be in effect only from July 1, ~~2022~~
29 2023 through June 30, ~~2023~~ 2024.

30
31 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

33 DHE - CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval
34 by the Department of Education - Division of Higher Education and the Chief
35 Fiscal Officer of the State, institutions of higher education may transfer
36 appropriation from the cash contingency appropriation to any other

1 appropriation made to the institution from cash funds including the
2 establishment of commitment items, and may transfer appropriation from the
3 contingency appropriation made payable from each institution's State Treasury
4 Fund to the state operations appropriation made payable from each
5 institution's State Treasury Fund including the establishment of commitment
6 items, and may transfer appropriation from the contingency appropriation made
7 payable from the Tobacco Settlement Program Fund Accounts to any other
8 appropriation made to the institution from Tobacco Settlement Program Fund
9 Accounts including the establishment of commitment items.

10 (b) Contingency appropriation transfers shall only establish and
11 supplement commitment items that were recommended by the Higher Education
12 Coordinating Board in the budget manuals presented to the Legislative Council
13 and Joint Budget Committee.

14 (c) The Department of Education - Division of Higher Education shall
15 report contingency appropriation transfers and the establishment of any
16 commitment items authorized by this Section to the Legislative Council or
17 Joint Budget Committee for review during its July meeting. The report shall
18 include, by institution, the establishment of, and the amounts transferred
19 to, each commitment item, the reasons therefor and the source of funds.
20 Institutions shall submit contingency appropriation transfer and commitment
21 item establishment requests authorized by this Section to the Division of
22 Higher Education no later than July 1. Upon the failure of an institution to
23 submit the required information by the July 1 deadline, the Department of
24 Education - Division of Higher Education shall immediately notify by written
25 notification the chairpersons of the Legislative Council or Joint Budget
26 Committee.

27 The provisions of this section shall be in effect only from July 1, ~~2022~~
28 2023 through June 30, ~~2023~~ 2024.

29
30 SECTION 41. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 6,
31 Chapter 61, Subchapter 2, is amended to add an additional section to codify
32 special language in appropriation acts to read as follows:

33 6-61-236. Student Undergraduate Research Fellowship Program –
34 Established.

35 (a) There is established the Student Undergraduate Research Fellowship
36 Program, which shall be administered by the Division of Higher Education and

1 division staff.

2 (b) The program shall focus on the continued development of
3 undergraduate academic research efforts at state-supported colleges and
4 universities.

5 (c) The division shall promulgate rules necessary for the
6 implementation and operation of the program.

7 (d) The responsibilities of the division in administering the program
8 shall include without limitation the following:

9 (1) The development of eligibility criteria for a recipient of a
10 fellowship under the program;

11 (2) The collection of applications for a fellowship under the
12 program;

13 (3) The coordination of student evaluations under the program;

14 (4) The distribution of public notices regarding the program;

15 and

16 (5) The funding of grants for academic research purposes under
17 the program.

18 (e) The division may expense costs associated with the administration
19 of the program from funds made payable from the Higher Education Grants Fund
20 Account for the program as authorized to be used for student assistance
21 grants and scholarships in the division's operative appropriation act.

22

23 SECTION 42. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 23-115-
24 801(d)(3)(C), concerning lottery proceeds, is amended to codify special
25 language in appropriation acts to read as follows:

26 (C)(i) The office shall reimburse the division for the
27 costs of administering the scholarship awards funded with net proceeds from
28 the lottery after the Legislative Council's review under this subsection.

29 (ii) After the reimbursement of funds received by
30 the division from the office under subdivision (d)(3)(C)(i) of this section,
31 the division may refund the funds to the:

32 (a) Division of Higher Education Fund Account;

33 or

34 (b) Higher Education Grants Fund Account.

35

36 SECTION 43. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-82-

1 1503, concerning the eligibility for amount of the Critical Needs Minority
2 Teacher Scholarship Program, is amended to add an additional subsection to
3 codify special language in appropriation acts to read as follows:

4 (g) The Director of the Division of Higher Education shall:

5 (1)(A) Determine the amount available to fund the Critical Needs
6 Minority Teacher Scholarship Program.

7 (B) However, the amount determined under subdivision
8 (g)(1)(A) of this section shall not exceed two hundred thousand dollars
9 (\$200,000); and

10 (2)(A) Certify to the Chief Fiscal Officer of the State and the
11 Treasurer of State the amount determined under subdivision (g)(1)(A) of this
12 section to be transferred from the Higher Education Grants Fund Account.

13 (B)(i) Upon receipt of the certification under subdivision
14 (g)(2)(A) of this section, the Chief Fiscal Officer of the State and the
15 Treasurer of State shall transfer the necessary amount from the Higher
16 Education Grants Fund Account and the related appropriation to the University
17 of Arkansas at Pine Bluff Fund.

18 (ii) The university may use up to twenty percent
19 (20%) of the funds and appropriation received under subdivision (g)(2)(B)(i)
20 of this section for the administration of the Critical Needs Minority Teacher
21 Scholarship Program under this section.

22
23 SECTION 44. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 6,
24 Chapter 61, Subchapter 2, is amended to add an additional section to codify
25 special language in appropriation acts to read as follows:

26 6-61-235. Administrative fees.

27 (a) The Division of Higher Education may recover nonrefundable
28 administrative fees related to the institutional certification and exemption
29 process for out-of-state, nonpublic, and for-profit colleges and
30 universities.

31 (b) Fees in this section eligible for recovery include:

32 (1) Notification fees;

33 (2) Application processing fees; and

34 (3) Travel expenses for individuals on the certification review
35 teams.

36

1 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 DHE WORKFORCE INITIATIVE ACT FUNDING. The Chief Fiscal Officer of the State
4 may transfer, on his or her books and those of the State Treasurer and the
5 Auditor of the State, funding up to the amount authorized in the Workforce
6 Initiative Act of 2015 appropriation section in this Act, from the Division
7 of Higher Education Fund Account to the Workforce Initiative Act of 2015 Fund
8 in order to finance the distribution of grants identified under §6-60-107.

9 The provisions of this section shall be in effect only from July 1, ~~2022~~
10 2023 through June 30, ~~2023~~ 2024.

11
12 SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
14 DHE - STATEWIDE SCHOLARSHIP AND GRANT PROMOTION. Of the general revenue that
15 is received by and distributed from the Higher Education Grants Fund Account,
16 the Chief Fiscal Officer of the State shall transfer two hundred ninety-five
17 thousand dollars (\$295,000) to the Division of Higher Education Fund Account
18 to be allocated, budgeted, committed and distributed to the Statewide
19 Scholarship and Grant Promotion line item in the General Operations section
20 of this Act for the purpose of increasing public awareness of the
21 scholarships and grants offered by the State through the Arkansas Department
22 of Education - Division of Higher Education. The Department shall utilize a
23 minimum of one hundred forty-seven thousand five hundred dollars (\$147,500)
24 of the aforementioned total specifically for the promotion of the Arkansas
25 Futures Grant Program.

26 The provisions of this section shall be in effect only from July 1, ~~2022~~
27 2023 through June 30, ~~2023~~ 2024.

28
29 SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
31 GOVERNOR'S HIGHER EDUCATION TRANSITION SCHOLARSHIP PROGRAM. The Department
32 of Education - Division of Higher Education shall provide for the
33 administration of the "Governor's Higher Education Transition Scholarship
34 Program" as appropriated in the Student Assistance Grants and Various
35 Scholarships Appropriation section of this Act to assist students accepted
36 into transitional programs for students with intellectual and/or

1 developmental disabilities at state institutions of higher education and
2 shall promulgate rules for the implementation of the program and for the
3 disbursement of scholarships to eligible students.

4 The provisions of this section shall be in effect only from July 1,
5 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

6
7 SECTION 48. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 6,
8 Chapter 51, Subchapter 2, is amended to add an additional section to codify
9 special language in appropriation acts to read as follows:

10 6-51-218. Northwest Technical Institute – Additional Teaching Load.

11 (a)(1) Any Full-time staff and ten (10) extra help positions at
12 Northwest Technical Institute, may be paid up to

13 (A) Seventy-five dollars (\$75.00) per clock hour for the
14 fiscal year for noncredit teaching assignments; or

15 (B) Five hundred fifty dollars (\$550) per semester hour
16 for the fiscal year for teaching courses beyond the defined teaching load.

17 (2) An amount paid under subdivision (a)(1) of this section may
18 be in addition to an eligible institute employee’s maximum allowable salary.

19 (b) A teaching load that makes an institute employee eligible for
20 additional payments under subsection (a) of this section shall not exceed one
21 hundred fifty (150) clock hours or nine (9) semester credit hours per school
22 year.

23 (c) This section applies only to credit and noncredit courses that are
24 funded by private industry.

25
26 SECTION 49. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 6,
27 Chapter 62, Subchapter 8, pertaining to Women’s Sport Athletic Programs is
28 amended to read as follows:

29 § 6-62-803(c) This section shall not apply to expenditures related to
30 compliance with § 6-60-111 or increased compliance under 20 U.S.C. § 1092(f),
31 nor the transfer of funds necessary to support women’s athletic programs.

32
33 SECTION 50. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-62-
34 110 is amended to read as follows:

35 6-62-110. Additional compensation for state-supported four-year institutions
36 of higher education athletic department.

1 (a)(1) In recognition of the extra work involved in the participation
2 of intercollegiate athletic teams in post-season competitions, and to promote
3 exceptional achievement in the total sports program of each state-supported
4 four-year institution of higher education, the Chancellor or President of a
5 state-supported four-year institution of higher education, in accordance with
6 policies issued by its Board of Trustees, may approve additional compensation
7 for the athletic department and band personnel when any athletic team
8 participates in a post-season competition or achieves exceptional
9 recognition.

10 (2) Additional compensation approved under subdivision (a)(1) of
11 this section shall be in addition to the regular salaries authorized by law,
12 provided that the additional compensation shall be paid from income other
13 than state funds.

14 (b) A Board of Trustees of a state-supported four-year institution of
15 higher education may make additional payments to employees in the Athletic
16 Department at the institution, or to employees that directly support the
17 operation of the Athletic Department at the institution, in such amounts as
18 the Board of Trustees may determine is appropriate in view of the unusual and
19 exacting duties of such employees, provided the additional compensation shall
20 be paid from income other than state funds.

21 (c)(1) Any such allowances authorized in this section shall be in
22 addition to the regular salaries of such employees.

23 (2) If the allowance funds authorized under this section are
24 utilized, a state-supported four-year institution of higher education shall
25 report annually to the Arkansas Legislative Joint Auditing Committee the
26 exact disposition of those allowance funds.

27
28 SECTION 51. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
29 authorized by this act shall be limited to the appropriation for such agency
30 and funds made available by law for the support of such appropriations; and
31 the restrictions of the State Procurement Law, the General Accounting and
32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
33 Procedures and Restrictions Act, or their successors, and other fiscal
34 control laws of this State, where applicable, and regulations promulgated by
35 the Department of Finance and Administration, as authorized by law, shall be
36 strictly complied with in disbursement of said funds.

1
2 SECTION 52. LEGISLATIVE INTENT. It is the intent of the General
3 Assembly that any funds disbursed under the authority of the appropriations
4 contained in this act shall be in compliance with the stated reasons for
5 which this act was adopted, as evidenced by the Agency Requests, Executive
6 Recommendations and Legislative Recommendations contained in the budget
7 manuals prepared by the Department of Finance and Administration, letters, or
8 summarized oral testimony in the official minutes of the Arkansas Legislative
9 Council or Joint Budget Committee which relate to its passage and adoption.
10

11 SECTION 53. EMERGENCY CLAUSE. It is found and determined by the
12 General Assembly, that the Constitution of the State of Arkansas prohibits
13 the appropriation of funds for more than a one (1) year period; that the
14 effectiveness of this Act on July 1, 2023, with the exception that Section 49
15 is effective upon passage and approval, is essential to the operation of the
16 agency for which the appropriations in this Act are provided, and that in the
17 event of an extension of the legislative session, the delay in the effective
18 date of this Act beyond July 1, 2023, with the exception that Section 49 is
19 effective upon passage and approval, could work irreparable harm upon the
20 proper administration and provision of essential governmental programs.
21 Therefore, an emergency is hereby declared to exist and this Act being
22 necessary for the immediate preservation of the public peace, health and
23 safety shall be in full force and effect from and after July 1, 2023 with the
24 exception that Section 49 is effective upon passage and approval.
25

26 /s/Joint Budget Committee
27
28

29 APPROVED: 4/13/23
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