

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1512

5 By: Representative M. Shepherd
6 By: Senator J. Dismang
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE ARKANSAS ACCESS ACT; TO AMEND
10 VARIOUS PROVISIONS OF THE ARKANSAS CODE AS THEY
11 RELATE TO EDUCATION IN THE STATE OF ARKANSAS; AND FOR
12 OTHER PURPOSES.
13
14

Subtitle

15 TO CREATE THE ARKANSAS ACCESS ACT; AND
16 TO AMEND VARIOUS PROVISIONS OF THE
17 ARKANSAS CODE AS THEY RELATE TO
18 EDUCATION IN THE STATE OF ARKANSAS.
19
20

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

23 SECTION 1. DO NOT CODIFY. Title.

24 This act shall be known and may be cited as the "Arkansas ACCESS Act".
25

26 SECTION 2. Arkansas Code § 6-1-404(a), concerning the membership of
27 the School Leadership Coordinating Council, is amended to read as follows:

28 (a) The School Leadership Coordinating Council consists of ~~seventeen~~
29 ~~(17)~~ the following members ~~as follows~~:

30 (1) ~~The Chair of the Arkansas Association of Colleges for~~
31 ~~Teacher Education Council of Deans;~~

32 ~~(2)~~ The Commissioner of Elementary and Secondary Education;

33 ~~(3)~~ ~~The Director of the Arkansas Leadership Academy;~~

34 ~~(4)~~(2) The Commissioner of the Division of Higher Education;

35 ~~(5)~~(3) The Director of the Division of Career and Technical
36 Education;



1 ~~(6) The Executive Director of the Arkansas Association of~~
 2 ~~Educational Administrators;~~

3 ~~(7) The Executive Director of the Arkansas Education~~
 4 ~~Association;~~

5 ~~(8) The Executive Director of the Arkansas School Boards~~
 6 ~~Association;~~

7 ~~(9) The Executive Director of the Arkansas Association for~~
 8 ~~Supervision and Curriculum Development;~~

9 ~~(10) The Executive Director of the Arkansas Rural Ed~~
 10 ~~Association;~~

11 ~~(11) A representative from the Arkansas Professors of~~
 12 ~~Educational Administration;~~

13 ~~(12) A representative from the Arkansas Center for Executive~~
 14 ~~Leadership;~~

15 ~~(13) A representative from an education service cooperative;~~

16 ~~(14) A representative from the Arkansas Public School Resource~~
 17 ~~Center, Inc.;~~

18 ~~(15) A representative from the Arkansas State Teachers~~
 19 ~~Association;~~

20 ~~(16)~~(4) The Chair of the Senate Committee on Education or the
 21 chair's designee; ~~and~~

22 ~~(17)~~(5) The Chair of the House Committee on Education or the
 23 chair's designee; ~~and~~

24 (6) Other stakeholders as deemed necessary by the members
 25 designated under subdivisions (a)(1)-(5) of this section.

26
 27 SECTION 3. Arkansas Code § 6-1-404(d), concerning meetings of the
 28 School Leadership Coordinating Council, is amended to read as follows:

29 (d)(1) The council shall meet at the times and places that the Chair
 30 of the School Leadership Coordinating Council deems necessary but no less
 31 than four (4) times per year.

32 (2) ~~Seven~~ ~~(7)~~ A majority of the members of the council shall
 33 constitute a quorum for the purpose of transacting business.

34 (3) All actions of the council are by quorum.

35

36 SECTION 4. Arkansas Code Title 6, Chapter 5, Subchapter 11 is

1 repealed.

2 ~~Subchapter 11—Council on Postsecondary Education and Career Readiness~~

3 ~~6-5-1101. Legislative intent.~~

4 ~~The General Assembly finds that:~~

5 ~~(1) Public schools should help all students:~~

6 ~~(A) Have the reading, writing, and mathematics skills~~
 7 ~~needed to succeed in all first year coursework in associate and baccalaureate~~
 8 ~~degree programs in non-mathematics based majors; and~~

9 ~~(B) Be ready for as many career options as possible by~~
 10 ~~having a base level of employability; and~~

11 ~~(2) The development of college and career readiness standards~~
 12 ~~should be undertaken as an integrative process among:~~

13 ~~(A) The General Assembly;~~

14 ~~(B) State agencies that regulate and support the public~~
 15 ~~educational systems of the state;~~

16 ~~(C) Kindergarten, elementary, secondary, and postsecondary~~
 17 ~~educational institutions; and~~

18 ~~(D) The public.~~

19

20 ~~6-5-1102. Council on Postsecondary Education and Career Readiness~~

21 ~~established—Membership—Meetings.~~

22 ~~(a) This subchapter establishes the Council on Postsecondary Education~~
 23 ~~and Career Readiness to facilitate the collaboration of kindergarten,~~
 24 ~~elementary, secondary, and postsecondary educational institutions in Arkansas~~
 25 ~~in developing college and career readiness standards that align school~~
 26 ~~curriculum and graduation standards with postsecondary education requirements~~
 27 ~~and business community expectations for employability.~~

28 ~~(b) The council shall consist of eleven (11) members as follows:~~

29 ~~(1) The Commissioner of Elementary and Secondary Education or~~
 30 ~~his or her designee;~~

31 ~~(2) The Commissioner of the Division of Higher Education or his~~
 32 ~~or her designee;~~

33 ~~(3) The Director of the Division of Career and Technical~~
 34 ~~Education or his or her designee;~~

35 ~~(4) The Director of the Arkansas Economic Development Commission~~
 36 ~~or his or her designee;~~

1 ~~(5) The Director of the Division of Workforce Services or his or~~
2 ~~her designee;~~

3 ~~(6) A president or chancellor of an Arkansas four year~~
4 ~~institution of higher education or his or her designee, appointed annually by~~
5 ~~the Commissioner of the Division of Higher Education;~~

6 ~~(7) The Executive Director of the Arkansas Association of~~
7 ~~Educational Administrators or his or her designee;~~

8 ~~(8) The Executive Director of Arkansas Community Colleges or his~~
9 ~~or her designee;~~

10 ~~(9) The Executive Director of the Arkansas Education Association~~
11 ~~or his or her designee;~~

12 ~~(10) The Executive Director of the Arkansas School Boards~~
13 ~~Association or his or her designee; and~~

14 ~~(11) The President of the Arkansas State Chamber of Commerce and~~
15 ~~the Associated Industries of Arkansas or his or her designee.~~

16 ~~(c)(1) The Commissioner of Elementary and Secondary Education or his~~
17 ~~or her designee shall call the first meeting of the council and serve as~~
18 ~~chair for the first meeting.~~

19 ~~(2) The first meeting shall occur within thirty (30) days of the~~
20 ~~effective date of this subchapter.~~

21 ~~(d) At the first meeting of the council and annually thereafter, the~~
22 ~~voting members of the council shall elect one (1) member to serve as chair~~
23 ~~for one (1) year.~~

24 ~~(e)(1) All members are voting members except the chair, who may vote~~
25 ~~only to break a tie vote.~~

26 ~~(2) A majority of the members shall constitute a quorum for the~~
27 ~~transaction of business.~~

28 ~~(f) The council shall meet at least three (3) times in a calendar~~
29 ~~year.~~

30 ~~(g) The Department of Education shall provide meeting space and staff~~
31 ~~for the council.~~

32 ~~(h) Council members shall serve without pay and shall not receive~~
33 ~~expense reimbursement except from the agency or institution employing the~~
34 ~~member.~~

35
36 ~~6-5-1103. Powers and duties.~~

1 ~~(a) The Council on Postsecondary Education and Career Readiness shall:~~

2 ~~(1) Develop a unified strategy to:~~

3 ~~(A) Reduce remediation rates among high school graduates~~
4 ~~entering postsecondary education by at least fifty percent (50%) by the year~~
5 ~~2020; and~~

6 ~~(B) Increase postsecondary graduation and completion~~
7 ~~rates;~~

8 ~~(2)(A) Support college and career readiness standards that:~~

9 ~~(i) Require higher performance levels than those~~
10 ~~currently required for high school graduation; and~~

11 ~~(ii) Promote accelerated learning opportunities,~~
12 ~~including without limitation Advanced Placement courses, concurrent credit~~
13 ~~opportunities, and other accelerated opportunities with college or~~
14 ~~vocational-technical school assistance to ensure that all students have the~~
15 ~~skills to be successful in either employment or postsecondary education.~~

16 ~~(B) College and career readiness standards shall be~~
17 ~~implemented with the understanding that until July 1, 2022, interim high~~
18 ~~school graduation standards may be used until the high school graduation~~
19 ~~standards adopted by the State Board of Education are equal to the college~~
20 ~~and career readiness standards;~~

21 ~~(3) Develop a successful transition to work matrix that schools~~
22 ~~and students may use to help students develop employment skills;~~

23 ~~(4) Develop guidelines for secondary school intervention~~
24 ~~programs and transitional courses;~~

25 ~~(5) Develop guidelines for professional development for teachers~~
26 ~~of transitional courses and opportunities for collaboration among high~~
27 ~~school, vocational-technical school, and college faculty to ensure that~~
28 ~~transitional courses target gaps in students' college and career readiness~~
29 ~~skills; and~~

30 ~~(6) Provide the reports required under this subchapter.~~

31 ~~(b)(1) The council shall establish working groups of its members, or~~
32 ~~staff of the agencies or institutions employing the members, to direct the~~
33 ~~planning process and strategic implementation of its plans.~~

34 ~~(2) The working groups shall:~~

35 ~~(A) Develop goals and action plans;~~

36 ~~(B) Identify resources; and~~

1 ~~(C) Determine expected outcomes to measure for each~~
 2 ~~strategy promoting college and career readiness and postsecondary completion.~~

3
 4 ~~6-5-1104. Reporting requirements.~~

5 ~~(a) By June 30, 2014, the Council on Postsecondary Education and~~
 6 ~~Career Readiness shall:~~

7 ~~(1) Develop a written plan to reduce remediation rates and~~
 8 ~~increase postsecondary graduation rates, including without limitation:~~

9 ~~(A) Annual goals;~~

10 ~~(B) Action strategies;~~

11 ~~(C) Assigned responsibilities for implementing strategies;~~

12 ~~(D) Timelines; and~~

13 ~~(E) Reporting mechanisms;~~

14 ~~(2) Provide the written plan to:~~

15 ~~(A) The House Committee on Education and the Senate~~
 16 ~~Committee on Education;~~

17 ~~(B) The board of directors of each school district and~~
 18 ~~open-enrollment charter school in this state; and~~

19 ~~(C) The governing board of each state-supported~~
 20 ~~institution of higher education in this state; and~~

21 ~~(3) Encourage each school district board of directors and the~~
 22 ~~governing board of each state-supported institution of higher education in~~
 23 ~~the state to participate in the council's plan and to work collaboratively to~~
 24 ~~reduce the remediation rates and further postsecondary graduation and~~
 25 ~~completion rates.~~

26 ~~(b) By June 30, 2015, and annually thereafter, the council shall~~
 27 ~~report to the House Committee on Education and the Senate Committee on~~
 28 ~~Education:~~

29 ~~(1) The progress of the council's work for the year; and~~

30 ~~(2) Its recommendations, which may include without limitation~~
 31 ~~proposals for legislative action.~~

32
 33 SECTION 5. Arkansas Code Title 6, Chapter 5, Subchapter 12 is amended
 34 to read as follows:

35 Subchapter 12 - ~~Advanced Placement Training and Incentive Program~~ Accelerated
 36 Learning

1
2 6-5-1201. ~~Established~~ Definition.

3 ~~There is established the Advanced Placement Training and Incentive~~
4 ~~Program.~~

5 As used in this subchapter, “accelerated learning” means an organized
6 method of learning that enables a student to meet individual academic goals
7 and graduation requirements while pursuing higher levels of skill
8 development, including without limitation the following coursework:

- 9 (1) A College Board pre-Advanced Placement and Advanced
10 Placement course;
11 (2) An International Baccalaureate Diploma Programme course;
12 (3) A Cambridge Advanced International Certificate of Education
13 course;
14 (4) A concurrent credit course; and
15 (5) A substantively similar course or program approved by the
16 Division of Elementary and Secondary Education.

17
18 6-5-1202. Purpose of ~~Advanced Placement Training and Incentive Program~~
19 accelerated learning – Grant funding.

20 (a) The purpose of ~~the Advanced Placement Training and Incentive~~
21 ~~Program~~ accelerated learning is to:

- 22 (1) Prepare more students for:
23 (A) Success in higher education;
24 (B) Postsecondary training; and
25 (C) ~~Careers in science, technology, engineering, and~~
26 ~~mathematics~~ High-wage, high-demand careers;

27 (2) Increase the number of students who graduate from
28 institutions of higher education; and

29 (3) Support and enhance ~~Advanced Placement~~ accelerated learning
30 initiatives already operating in the state.

31 (b)(1) The Division of Elementary and Secondary Education shall
32 provide grant funding to organizations that implement measures to achieve the
33 goals of ~~the Advanced Placement Training and Incentive Program~~ accelerated
34 learning as determined by the division.

35 (2) ~~An organization that receives grant funding to implement the~~
36 ~~Advanced Placement Training and Incentive Program under this subchapter~~

1 shall:

2 ~~(A) Be affiliated with the National Math and Science~~
 3 ~~Initiative; and~~

4 ~~(B) Have demonstrated success with an Advanced Placement~~
 5 ~~Training and Incentive Program.~~

6 (3) An organization that receives grant funding to provide the
 7 ~~Advanced Placement Training and Incentive Program~~ accelerated learning may
 8 without limitation:

9 (A) Develop public-private partnerships to advance math
 10 and science learning opportunities;

11 (B) Generate revenue from public or private sector
 12 entities to support other opportunities; ~~or~~ and

13 (C) Accept grants, donations, gifts, or bequests.

14 (c) Grant funding provided by the division to an organization under
 15 this subchapter shall be used to:

16 (1) Support and enhance ~~the Advanced Placement Training and~~
 17 ~~Incentive Program~~ accelerated learning;

18 (2) Pay for personal services and operating expenses required to
 19 carry out ~~the Advanced Placement Training and Incentive Program~~ accelerated
 20 learning; and

21 (3) Pay for technology, materials, assessments, and other
 22 resources used in ~~the Advanced Placement Training and Incentive Program~~
 23 accelerated learning.

24
 25 6-5-1203. Components and goals of ~~Advanced Placement Training and~~
 26 ~~Incentive Program~~ accelerated learning.

27 (a) ~~The Advanced Placement Training and Incentive Program~~ Accelerated
 28 learning shall:

29 (1) Provide ~~advanced placement~~ accelerated learning content
 30 directors to work, mentor, and provide resources to ~~advanced placement and~~
 31 ~~pre-advanced placement~~ accelerated learning teachers in the areas of:

32 (A) Mathematics;

33 (B) Science; and

34 (C) English;

35 (2) Provide nationally recognized professional development for
 36 ~~advanced placement and pre-advanced placement~~ accelerated learning teachers

1 that will enhance the knowledge and pedagogical skills of the teachers; and

2 (3) Develop and provide materials and resources for ~~advanced~~
3 ~~placement and pre-advanced placement~~ accelerated learning teachers.

4 (b) The overall goal of ~~the Advanced Placement Training and Incentive~~
5 ~~Program~~ accelerated learning is to:

6 (1) Increase the number of students enrolled in ~~Advanced~~
7 ~~Placement~~ accelerated learning mathematics, science, and English;

8 (2) ~~Increase the number of students who score three (3) or more~~
9 ~~on Advanced Placement exams;~~

10 (3) ~~Reduce the participation gaps and performance gaps in~~
11 ~~Advanced Placement classes between African-American, Hispanic, and Caucasian~~
12 ~~students;~~

13 (4) ~~Help public high schools~~ Ensure school districts develop
14 strong and successful ~~Advanced Placement programs~~ accelerated learning for
15 public high schools;

16 (5)(3) Enhance and augment ~~Advanced Placement~~ accelerated
17 learning policies and initiatives in Arkansas;

18 (6)(4) Provide ~~the Advanced Placement Training and Incentive~~
19 ~~Program~~ accelerated learning in every public high school ~~that elects to~~
20 ~~participate~~ and strengthen its ~~Advanced Placement program~~ accelerated
21 learning; and

22 (7) (5) Increase the number of students prepared to enter
23 science, technology, engineering, and mathematics fields in higher education
24 or related training and occupations.

25
26 6-5-1204. Participation in ~~Advanced Placement Training and Incentive~~
27 ~~Program~~ accelerated learning.

28 (a) An organization that receives grant funding to provide ~~the~~
29 ~~Advanced Placement Training and Incentive Program~~ accelerated learning shall
30 publish a list of program fees on or before June 1 each year.

31 (b) A public high school is eligible to participate in ~~the Advanced~~
32 ~~Placement Training and Incentive Program~~ accelerated learning.

33 (c)(1) A public high school ~~that chooses to participate in the~~
34 ~~Advanced Placement Training and Incentive Program~~ school's accelerated
35 learning shall pay ~~a participation and~~ the required service fee determined by
36 the organization.

1 ~~(2) A public high school may choose either to participate fully~~
 2 ~~in the Advanced Placement Training and Incentive Program or to participate on~~
 3 ~~a limited basis, in which case the public high school shall pay a fee for~~
 4 ~~each service the public high school elects to use.~~

5
 6 6-5-1205. Funding for accelerated learning.

7 (a) Contingent upon legislative appropriations and based on criteria
 8 established by the Division of Elementary and Secondary Education, a school
 9 that is offering accelerated learning may be awarded a one-time equipment and
 10 instructional materials grant for providing an accelerated learning course.

11 (b) Contingent upon legislative appropriation and the availability of
 12 funding, the state may pay in full or on a pro rata basis the cost of the
 13 accelerated learning test fees.

14 (c) The State Board of Education may promulgate rules to implement
 15 this subchapter.

16
 17 SECTION 6. Arkansas Code § 6-13-629(a)(3)-(5), concerning the training
 18 and instruction regarding interpretation of audit reports that school board
 19 of directors members must receive, is amended to read as follows:

20 (3)(A) The training and instruction required under this section
 21 shall include:

22 (i) Topics relevant to school laws and school
 23 operations;

24 (ii) The powers, duties, and responsibilities of the
 25 members of ~~the~~ a board of directors, including without limitation:

26 (a) Legal requirements, including without
 27 limitation:

28 (1) The items listed or required by the
 29 Legislative Joint Auditing Committee under § 6-1-101; and

30 (2) Other financial laws, rules, or
 31 federal regulations designated by the Division of Elementary and Secondary
 32 Education;

33 (b) Role differentiation;

34 (c) Financial management, including without
 35 limitation how to read and interpret an audit report; and

36 (d) Improving student achievement; and

1 (iii) Information regarding school safety and
2 student discipline.

3 (B) The training or instruction on how to read and
4 interpret an audit report required under subdivision (a)(3)(A)(ii)(c) of this
5 section shall be conducted:

6 (i) By a person who:

7 (a) Is licensed to practice accounting by the
8 Arkansas State Board of Public Accountancy;

9 (b) Has prior experience in conducting a
10 school district financial audit;

11 (c) Is not an employee of Arkansas Legislative
12 Audit unless the training or instruction is conducted for the boards of
13 directors of multiple school districts; and

14 (d) Is not the person conducting the annual
15 audit or other financial audit of the school district unless the training or
16 instruction is presented in a large group setting sponsored by a statewide or
17 regional organization that is attended by multiple school districts;

18 (ii) Under the consultation or supervision of an
19 individual who qualifies under subdivision (a)(3)(B)(i) of this section as
20 part of a program that is provided:

21 (a) By an institution of higher education
22 located in Arkansas; or

23 (b) From instruction sponsored or approved by
24 the Department of Education; ~~or~~

25 ~~(c) By an in-service training conducted by or~~
26 ~~through the Arkansas School Boards Association; and~~

27 (iii) By electronic means or in person, or both.

28 (4) Hours of training and instruction obtained in excess of the
29 minimum requirements each year may accumulate and be carried forward from
30 year to year.

31 (5) This instruction may be received from an institution of
32 higher education in this state, or from instruction sponsored or approved by
33 the ~~Department of Education, or by an in-service training program conducted~~
34 ~~by or through the Arkansas School Boards Association~~ department.

35
36 SECTION 7. Arkansas Code § 6-13-808 is repealed.

1 ~~6-13-808. The Arkansas Traveling Teacher Program.~~

2 ~~(a) The Arkansas Traveling Teacher Program is hereby established and~~
3 ~~shall be administered by the Division of Elementary and Secondary Education~~
4 ~~with the assistance of public school districts and education service~~
5 ~~cooperatives.~~

6 ~~(b)(1) Pursuant to the provisions of this section, and to the extent~~
7 ~~sufficient funding is available, the following persons and public school~~
8 ~~districts may enter into an agreement to provide traveling teacher services~~
9 ~~for one (1) or more receiving school districts for one (1) or more courses~~
10 ~~required by the Standards for Accreditation of Arkansas Public Schools and~~
11 ~~School Districts and any Advanced Placement courses required by § 6-16-1204:~~

12 ~~(A) A traveling teacher who is appropriately licensed in~~
13 ~~Arkansas as a teacher and employed on a full-time equivalent basis by a host~~
14 ~~school district;~~

15 ~~(B) A host school district that is an Arkansas public~~
16 ~~school district with a student population of eight thousand (8,000) students~~
17 ~~or fewer and that desires to provide traveling teacher services to a~~
18 ~~receiving school district; and~~

19 ~~(C) A receiving school district that is a public school~~
20 ~~district other than the host school district and that desires to receive~~
21 ~~traveling teacher services.~~

22 ~~(2) The parties shall enter into a written agreement, in the~~
23 ~~form established by the division, that shall include without limitation the~~
24 ~~following:~~

25 ~~(A) That the traveling teacher is to provide professional~~
26 ~~teaching services to the receiving school district for one (1) or more~~
27 ~~required courses;~~

28 ~~(B) The amount of the bonus to be provided to the~~
29 ~~traveling teacher under subdivision (c)(1)(A) of this section;~~

30 ~~(C) For each course to be taught under the agreement:~~

31 ~~(i) A description of the course;~~
32 ~~(ii) The time and day for teaching each course; and~~
33 ~~(iii) The exact location where the course will be~~
34 ~~taught;~~

35 ~~(D)(i) Whether the agreement is for a school semester or a~~
36 ~~school year.~~

1 ~~(ii) No agreement shall be for a time period longer~~
2 ~~than a school year or shorter than a school semester;~~

3 ~~(E)(i) That the receiving school district will reimburse~~
4 ~~the host school district for the time the traveling teacher is not working in~~
5 ~~the host school district.~~

6 ~~(ii) The reimbursement shall be the receiving school~~
7 ~~district's pro rata share of the traveling teacher's time based on the hourly~~
8 ~~rate of the traveling teacher's contract with the host school district;~~

9 ~~(F) That at all times during the period of the agreement,~~
10 ~~the traveling teacher is an employee of the host school district and is~~
11 ~~subject to the personnel policies and contractual obligations of the host~~
12 ~~school district; and~~

13 ~~(G)(i) That sufficient time will be allowed for the~~
14 ~~traveling teacher to travel to and from the host school district and the~~
15 ~~receiving school district.~~

16 ~~(ii) The division shall not approve an agreement~~
17 ~~under this section unless the agreement requires the traveling teacher to be~~
18 ~~physically present in the receiving school district while the traveling~~
19 ~~teacher is teaching any course specified in the agreement.~~

20 ~~(3) The agreement shall be reviewed and approved by the division~~
21 ~~under subsection (f) of this section.~~

22 ~~(c) To the extent the agreement is approved by the division:~~

23 ~~(1)(A) Upon completion of the traveling teacher's services~~
24 ~~provided under the agreement and under the terms of the agreement, the host~~
25 ~~school district shall pay the traveling teacher, in addition to the amount~~
26 ~~required by the teacher's annual teacher's contract with the host school~~
27 ~~district a bonus of either:~~

28 ~~(i) Two thousand dollars (\$2,000) for a semester~~
29 ~~agreement; or~~

30 ~~(ii) Four thousand dollars (\$4,000) for a full school~~
31 ~~year agreement.~~

32 ~~(B) The division shall reimburse the host school district~~
33 ~~for the amount of bonus paid to the traveling teacher; and~~

34 ~~(2)(A) The host school district shall reimburse the traveling~~
35 ~~teacher for expenses related to travel to and from a receiving school~~
36 ~~district at the appropriate state rate of reimbursement in existence and~~

1 ~~approved by the Department of Finance and Administration for the school year~~
2 ~~in which the traveling teacher's services are provided.~~

3 ~~(B) The division shall reimburse the host school district~~
4 ~~for the amount of travel reimbursement paid by the host school district to~~
5 ~~the traveling teacher.~~

6 ~~(d) Neither the division nor the State of Arkansas shall be obligated~~
7 ~~or liable to reimburse any bonus or travel expenses incurred under an~~
8 ~~agreement for traveling teacher services under this section if the division~~
9 ~~has not reviewed and approved the entire agreement.~~

10 ~~(e) The division may, if feasible and if funding is available,~~
11 ~~establish an online registry of public school teachers willing to enter into~~
12 ~~an agreement for traveling teacher services under this section with~~
13 ~~information concerning the teacher's employing school district and any course~~
14 ~~the teacher is qualified to teach.~~

15 ~~(f)(1) All proposed agreements among a host school district, a~~
16 ~~receiving school district, and a traveling teacher shall be submitted to the~~
17 ~~division by a date certain for review and approval by the division.~~

18 ~~(2) The division shall review each agreement with all requisite~~
19 ~~authority to approve or deny the agreement based on the provisions of law,~~
20 ~~rule, availability of funding, and discretionary determination as to the best~~
21 ~~use of state resources and funding.~~

22 ~~(3) The division shall endeavor to consider approval of an~~
23 ~~agreement to:~~

24 ~~(A) Place a traveling teacher with a receiving school~~
25 ~~district to maximize the efficiency of the traveling teacher's service to~~
26 ~~both the host and receiving school districts; and~~

27 ~~(B) Minimize the extent and duration of any travel~~
28 ~~required.~~

29 ~~(g)(1) The division shall establish any rules and agreement forms~~
30 ~~necessary for the administration of the Arkansas Traveling Teacher Program.~~

31 ~~(2) In establishing the rules, the division shall:~~

32 ~~(A) Prioritize the approval of agreements for traveling~~
33 ~~teacher services based on subject area course needs;~~

34 ~~(B) Establish appropriate travel limitations;~~

35 ~~(C) Develop a method of equitable distribution of~~
36 ~~traveling teachers among the area's education service cooperatives; and~~

1 ~~(D) Provide a means by which education service~~
2 ~~cooperatives may assist in facilitating traveling teachers.~~

3 ~~(h) No provision of this section is intended or should be interpreted~~
4 ~~to waive any immunity or defense of the State of Arkansas or its various~~
5 ~~agencies, boards, or commissions and no person shall be deemed to have any~~
6 ~~legal entitlement, recourse, or cause of action against the State of Arkansas~~
7 ~~or its various agencies, boards, or commissions based on the terms,~~
8 ~~conditions, or provisions of this section.~~

9 ~~(i) [Repealed.]~~

10
11 SECTION 8. Arkansas Code § 6-15-202 is amended to read as follows:
12 6-15-202. Accreditation – Development of rules, criteria, and
13 standards.

14 (a)(1) The State Board of Education is authorized and directed to
15 develop comprehensive rules, criteria, and standards to be used by the state
16 board and the Division of Elementary and Secondary Education in the
17 accreditation of school programs in elementary and secondary public schools
18 in this state.

19 (2) In its rules, criteria, and standards promulgated under this
20 subchapter, the state board shall include a provision regarding the
21 attainment of unitary status for school districts that have not been released
22 from court supervision over desegregation obligations.

23 (b)(1) All public schools and school districts shall meet the
24 Standards for Accreditation of Arkansas Public Schools and School Districts
25 that shall be adopted by the state board.

26 (2)(A) ~~Except as provided under subdivisions (b)(2)(B)–(E) of~~
27 ~~this section, upon~~ Upon a showing of just cause, the state board may grant a
28 waiver of any standard for accreditation for a time period of no longer than
29 one (1) school year, except that no curriculum, student performance, school
30 performance, or any standard required by law may be waived for any time
31 period.

32 (B) ~~The state board may grant a waiver of a standard for~~
33 ~~accreditation for a time period of longer than one (1) school year to a~~
34 ~~school district for the purpose of combining or embedding the curriculum~~
35 ~~frameworks from two (2) separate courses into one (1) combined or embedded~~
36 ~~course if:~~

1 ~~(i) The school district timely makes an application~~
2 ~~for approval of the combined or embedded course to the division under the~~
3 ~~rules adopted by the state board;~~

4 ~~(ii) The school district certifies in writing to the~~
5 ~~state board that all of the curriculum frameworks for the two (2) separate~~
6 ~~courses will be fully taught in the proposed combined or embedded course;~~

7 ~~(iii) The division verifies in writing to the state~~
8 ~~board that all of the curriculum frameworks for the two (2) separate courses~~
9 ~~are included in the proposed combined or embedded course; and~~

10 ~~(iv) The proposed combined or embedded course meets~~
11 ~~all requirements for course approval under the rules adopted by the state~~
12 ~~board.~~

13 ~~(C) The state board shall grant a waiver of a standard~~
14 ~~only for accreditation for proposed combined or embedded courses in grades~~
15 ~~five through twelve (5-12).~~

16 ~~(D) If the state board subsequently revises the curriculum~~
17 ~~frameworks for either of the separate courses that are combined or embedded~~
18 ~~into a single course, a school district must submit a new waiver request for~~
19 ~~a combined or embedded course as set forth in subdivisions (b)(2)(B) and (C)~~
20 ~~of this section.~~

21 ~~(E) It is a violation of the Standards for Accreditation~~
22 ~~of Arkansas Public Schools and School Districts for a school to fail to teach~~
23 ~~the curriculum frameworks for each separate course that is combined or~~
24 ~~embedded into a single course.~~

25 ~~(F) The state board shall promulgate rules necessary to~~
26 ~~administer subdivisions subdivision (b)(2)(B)-(E)(A) of this section.~~

27 (3) A school district is deemed to have failed to meet the
28 Standards for Accreditation of Arkansas Public Schools and School Districts
29 if on any standard applicable to the general operation of a school district
30 as defined by the state board the school district receives a probationary
31 status.

32 (4) A school is deemed to have failed to meet the Standards for
33 Accreditation of Arkansas Public Schools and School Districts if on any
34 standard applicable to the specific operation of that school as defined by
35 the state board the school receives a probationary status.

36 (c) The state board shall promulgate rules setting forth:

1 (1) The process for identifying schools and school districts
2 that fail to meet the Standards for Accreditation of Arkansas Public Schools
3 and School Districts;

4 (2) Enforcement measures the state board may apply to bring a
5 school or school district into compliance with the Standards for
6 Accreditation of Arkansas Public Schools and School Districts, including, but
7 not limited to, annexation, consolidation, or reconstitution of the school
8 district in accordance with § 6-13-1401 et seq. and this subchapter; and

9 (3) The appeal process available to a school district under this
10 subchapter.

11 (d) After the rules are adopted and implemented by the state board,
12 standards and procedures shall regularly be reviewed by the House Committee
13 on Education and the Senate Committee on Education at least one (1) time
14 every two (2) years, and recommendations and advice may be filed by the House
15 Committee on Education and the Senate Committee on Education with the state
16 board for its consideration.

17 (e)(1) The division shall conduct a Standards for Accreditation of
18 Arkansas Public Schools and School Districts review for each public school or
19 public school district in the state:

20 (A) Identified as being at a high risk of failing to meet
21 the Standards for Accreditation of Arkansas Public Schools and School
22 Districts; or

23 (B) Whenever the division or state board deems necessary.

24 (2) The review under subdivision (e)(1) of this section may be
25 conducted on-site at the public school or public school district.

26 (f) The Commissioner of Elementary and Secondary Education may require
27 that the superintendent of each school district file a written statement with
28 the division as evidence that the school district for which the
29 superintendent is responsible has complied with any or all of the following
30 statutory requirements:

31 (1) Section 6-10-111(d)-(f) concerning the Equity Assistance
32 Center;

33 (2) Section 6-11-129(a)(1) concerning data to be accessible on
34 the district's website;

35 (3) Section 6-13-109 concerning employment of a school
36 superintendent;

- 1 (4) Section 6-13-620 concerning powers and duties of the local
2 school district board of directors;
- 3 (5) Section 6-13-801 et seq. concerning educational compacts;
- 4 (6) Section 6-15-202(b)(1) concerning accreditation;
- 5 (7) Section 6-15-2901 et seq. concerning the Arkansas
6 Educational Support and Accountability Act;
- 7 (8) Section 6-15-502 concerning home schools;
- 8 (9) Section 6-15-902 concerning grading scale;
- 9 (10) Section 6-15-1004 concerning qualified teachers;
- 10 (11) Section 6-15-1101(b) concerning diplomas;
- 11 (12) Section 6-15-1402 concerning the school performance report;
- 12 (13) Section 6-15-1603 concerning closing the achievement gap;
- 13 (14) Section 6-15-1701 et seq. concerning a parental involvement
14 plan;
- 15 (15) Section 6-16-102 concerning school day;
- 16 (16) Section 6-16-103 concerning course of study generally;
- 17 (17) Section 6-16-124 concerning Arkansas history;
- 18 (18) Section 6-16-126 concerning food handling safety;
- 19 (19) Section 6-16-130 concerning visual art and music;
- 20 (20) Section 6-16-132 concerning physical education;
- 21 (21) Section 6-16-1201 et seq. and § 6-5-1201 et seq. concerning
22 ~~advanced placement and concurrent enrollment~~ accelerated learning;
- 23 (22) Section 6-17-102 concerning emergency first aid personnel;
- 24 (23) Section 6-17-201 concerning personnel policies;
- 25 (24) Section 6-17-309 concerning licensure;
- 26 (25) Section 6-17-401 et seq. concerning teacher's license
27 requirement;
- 28 (26) Section 6-17-2301 concerning establishment of personnel
29 policies;
- 30 (27) Section 6-17-2403 concerning teacher compensation;
- 31 (28) Section 6-18-101 concerning qualifications for
32 valedictorian and salutatorian, if applicable;
- 33 (29) Section 6-18-201 et seq. concerning compulsory attendance;
- 34 (30) Section 6-18-202 concerning age and residence for attending
35 public schools;
- 36 (31) Section 6-18-207 concerning minimum age for enrollment in

1 public school;
2 (32) Section 6-18-213 concerning attendance records and reports
3 generally;
4 (33) Section 6-18-223 concerning credit for college courses;
5 (34) Section 6-18-501 et seq. concerning guidelines for
6 development of school district student discipline policies and written
7 student discipline policies;
8 (35) Section 6-48-101 et seq. concerning alternative learning
9 environments;
10 (36) Section 6-48-103 concerning assessment and intervention in
11 alternative learning environments;
12 (37) Section 6-18-701 et seq. concerning physical examinations;
13 (38) Section 6-18-2003 concerning a comprehensive school
14 counseling program;
15 (39) Section 6-19-101 et seq. concerning transportation;
16 (40) Section 6-20-2202 concerning the budget and expenditure
17 report;
18 (41) Section 6-21-106 concerning fire hazards inspection before
19 closing for breaks;
20 (42) Section 6-21-112 concerning school facilities;
21 (43) Section 6-25-101 et seq. concerning public school library
22 media and technology;
23 (44) Section 6-41-101 et seq. concerning services to children
24 with disabilities in nonpublic schools;
25 (45) Section 6-42-101 et seq. concerning gifted and talented
26 children;
27 (46) Section 6-17-2803(7) and rules promulgated by the state
28 board concerning the required training and credentialing of evaluators under
29 the Teacher Excellence and Support System, § 6-17-2801 et seq.; and
30 (47) Any other statutory mandate for school districts identified
31 by the division as relevant to the Standards for Accreditation of Arkansas
32 Public Schools and School Districts.
33 (g) In addition to any written statement of assurance required under
34 subsection (f) of this section, the division may conduct an on-site review of
35 a school district to confirm that a school district has complied with any
36 statutory requirements listed in subsection (f) of this section or any other

1 matter related to the Standards for Accreditation of Arkansas Public Schools
2 and School Districts.

3 (h) The division shall establish a form for the written statement of
4 assurance required under subsection (f) of this section and shall establish a
5 date or dates by which school districts shall submit the written statement of
6 assurance required under subsection (f) of this section.

7 (i) If any superintendent fails to file a written statement of
8 assurance as required by the commissioner under subsection (f) of this
9 section by the date established by the division or knowingly submits false
10 information or if the division determines the information in the statement is
11 inaccurate or incomplete, the division may:

- 12 (1) Conduct a random on-site visit;
- 13 (2) Request additional information from the school district;
- 14 (3) Take licensure action on the license of the superintendent
15 under the procedure of § 6-17-410; or
- 16 (4) Find the school or school district in citation or
17 probationary violation of the Standards for Accreditation of Arkansas Public
18 Schools and School Districts.

19
20 SECTION 9. Arkansas Code § 6-15-214 is amended to read as follows:

21 6-15-214. ~~Advanced placement~~ Accelerated learning course counted as
22 core curriculum course taught.

23 (a) The purpose of this section is to assist small, rural public
24 schools in providing students access to the most rigorous courses available
25 if it is the desire of students to take ~~advanced placement~~ accelerated
26 learning courses in the place of regular courses and, in doing so, to meet
27 the requirements of the Standards for Accreditation of Arkansas Public
28 Schools and School Districts.

29 (b)(1) The Division of Elementary and Secondary Education acknowledges
30 that the rigor and level of difficulty of ~~advanced placement~~ accelerated
31 learning courses exceed the requirements of regular courses.

32 (2) ~~Such rigor and level of difficulty are validated through the~~
33 ~~required advanced placement audit and advanced placement examinations~~ All
34 accelerated learning courses shall meet the approved program requirements.

35 (3) The State Board of Education may deny courses that do not
36 meet the approved program requirements.

1 (c) The ~~State Board of Education~~ state board shall consider an
2 ~~advanced placement~~ accelerated learning course as being taught for one (1) of
3 the required courses under the Standards for Accreditation of Arkansas Public
4 Schools and School Districts if:

5 (1) The public school district has a qualified teacher for the
6 required course;

7 (2) No students enrolled in the required course;

8 (3) An ~~advanced placement~~ accelerated learning course in the
9 same subject area as the required course has students enrolled in the
10 ~~advanced placement~~ accelerated learning course;

11 (4) The public school district teaches all other courses
12 required by the Standards for Accreditation of Arkansas Public Schools and
13 School Districts; and

14 (5)(A) The public school district teaches the required course to
15 any student who enrolls in the public school district after the school year
16 begins.

17 (B) The public school district may teach the required
18 course to a new student:

19 (i) In a traditional classroom setting;

20 (ii) Through distance learning with a qualified
21 teacher; or

22 (iii) By modifying the ~~advanced placement~~ accelerated
23 learning course on an individual level to accommodate the new student.

24 (d)(1) The public school district shall notify the division after
25 registration in the spring before the beginning of the new school year and
26 immediately after the school year begins if no students enrolled in the
27 required course and the public school district will seek to meet the
28 Standards for Accreditation of Arkansas Public Schools and School Districts
29 using the ~~advanced placement~~ accelerated learning course.

30 (2) Upon receiving the public school district notification and
31 after spring registration, the division shall permit the public school
32 district to meet the Standards for Accreditation of Arkansas Public Schools
33 and School Districts by teaching the ~~advanced placement~~ accelerated learning
34 course in place of the required course.

35 (e) If a new student enrolls in the required course, the public school
36 district shall immediately notify the division.

1 (f) The division shall establish procedures to ensure that no student
 2 is coerced into taking an ~~advanced placement~~ accelerated learning course for
 3 the purpose of meeting the Standards for Accreditation of Arkansas Public
 4 Schools and School Districts.

5
 6 SECTION 10. Arkansas Code § 6-15-215 is repealed.

7 ~~6-15-215. The Arkansas Smart Core Incentive Funding Program —~~
 8 ~~Definitions.~~

9 ~~(a) The General Assembly finds that:~~

10 ~~(1) The skills and knowledge gained through Arkansas's Smart~~
 11 ~~Core curriculum provide the academic foundation required for high school~~
 12 ~~graduates to succeed in their first year of college or in a job that promises~~
 13 ~~a well-paying career track; and~~

14 ~~(2) School districts should encourage all students who are~~
 15 ~~capable of completing the Smart Core curriculum to do so.~~

16 ~~(b) As used in this section:~~

17 ~~(1) "Eligible high school" means each public high school in a~~
 18 ~~school district that meets the criteria to receive incentive funding under~~
 19 ~~subsection (f) of this section and the program rules adopted under this~~
 20 ~~section by the State Board of Education;~~

21 ~~(2) "Smart Core" means the curriculum established by the~~
 22 ~~Division of Elementary and Secondary Education under the Standards for~~
 23 ~~Accreditation of Arkansas Public Schools and School Districts that is part of~~
 24 ~~Smart Future, a state initiative focused on improving Arkansas public high~~
 25 ~~schools for all students; and~~

26 ~~(3) "Smart Core graduate" means a student who graduated from an~~
 27 ~~Arkansas public high school after having successfully completed the Smart~~
 28 ~~Core curriculum.~~

29 ~~(c) The Arkansas Smart Core Incentive Funding Program is established~~
 30 ~~to provide a financial incentive to:~~

31 ~~(1) Assist with a public high school's efforts to encourage~~
 32 ~~public high school students to complete the Smart Core curriculum;~~

33 ~~(2) Promote programs that contribute to student success,~~
 34 ~~including without limitation:~~

35 ~~(A) Tutoring;~~

36 ~~(B) Quality after school and summer programs that may~~

1 ~~include literacy, math, and science specialists in elementary school; and~~

2 ~~(C) Professional development for mathematics, science,~~
3 ~~literacy, foreign language, and Advanced Placement instruction; and~~

4 ~~(3) Provide support to school counselors to improve student~~
5 ~~services.~~

6 ~~(d)(1)(A) A school district that receives incentive funding under this~~
7 ~~section shall provide the incentive funding to each eligible high school in~~
8 ~~the school district.~~

9 ~~(B) The eligible high school shall spend the incentive~~
10 ~~funding only for the purposes identified in subsection (c) of this section.~~

11 ~~(2) A school district that receives incentive funding under the~~
12 ~~program shall not use the incentive funding to provide increases to the~~
13 ~~salary schedule of the school district.~~

14 ~~(e)(1) Subject to an appropriation and available funding for the~~
15 ~~program, the division shall pay incentive funding to a school district under~~
16 ~~this section based on an annual percentage of Smart Core graduates from a~~
17 ~~public high school in the school district.~~

18 ~~(2)(A) The division shall make the calculation based on a~~
19 ~~student record analysis conducted annually by the division beginning with the~~
20 ~~graduating class of 2010.~~

21 ~~(B) The division shall exclude from the student record~~
22 ~~analysis a student with an individualized education program that does not~~
23 ~~require the student to complete the Smart Core curriculum.~~

24 ~~(f)(1) By June 30 of each year, the division shall pay to a school~~
25 ~~district incentive funding under the program as follows:~~

26 ~~(A) If one hundred percent (100%) of a public high~~
27 ~~school's graduates in the immediately preceding school year completed the~~
28 ~~Smart Core curriculum, the school district where the public high school is~~
29 ~~located shall receive one hundred twenty five dollars (\$125) per Smart Core~~
30 ~~graduate;~~

31 ~~(B) If at least ninety five percent (95%) but less than~~
32 ~~one hundred percent (100%) of a public high school's graduates in the~~
33 ~~immediately preceding school year completed the Smart Core curriculum, the~~
34 ~~school district where the public high school is located shall receive one~~
35 ~~hundred dollars (\$100) per Smart Core graduate; and~~

36 ~~(C) If at least ninety percent (90%) but less than ninety~~

1 ~~five percent (95%) of a public high school's graduates in the immediately~~
 2 ~~preceding school year completed the Smart Core curriculum, the school~~
 3 ~~district where the public high school is located shall receive fifty dollars~~
 4 ~~(\$50.00) per Smart Core graduate.~~

5 ~~(2) The division shall not pay incentive funding to a school~~
 6 ~~district for a public high school in which less than ninety percent (90%) of~~
 7 ~~its graduates complete the Smart Core curriculum.~~

8 ~~(3) If a public high school's graduation rate falls below the~~
 9 ~~average graduation rate for the public high school for the previous three (3)~~
 10 ~~school years, the school district is not eligible to receive the full~~
 11 ~~incentive award under the program for the public high school.~~

12 ~~(g) Participation in the program is voluntary.~~

13 ~~(h) This section is effective from July 1, 2009, through June 30,~~
 14 ~~2020.~~

15
 16 SECTION 11. Arkansas Code §§ 6-15-901 and 6-15-902 are amended to read
 17 as follows:

18 6-15-901. Definition.

19 For the purposes of this subchapter, "~~advanced placement course~~
 20 accelerated learning" means ~~a course of instruction that qualifies for~~
 21 ~~college credit and that is approved for credit as a high school course by the~~
 22 ~~State Board of Education~~ an organized method of learning that enables a
 23 student to meet individual academic goals and graduation requirements while
 24 pursuing higher levels of skill development, including without limitation the
 25 following coursework:

26 (1) A College Board pre-Advanced Placement and Advanced
 27 Placement course;

28 (2) An International Baccalaureate Diploma Programme course;

29 (3) A Cambridge Advanced International Certificate of Education
 30 course;

31 (4) A concurrent credit course; and

32 (5) A substantively similar course or program approved by the
 33 Division of Elementary and Secondary Education.

34
 35 6-15-902. Grading scale – Exemptions – Special education classes.

36 (a) The following grading scale shall be used by all public secondary

1 schools in the state for all courses, except ~~Advanced Placement~~ accelerated
 2 learning courses, and approved courses for weighted credit, ~~and courses~~
 3 ~~offered under the International Baccalaureate Diploma Programme:~~

- 4 (1) A = 90-100;
- 5 (2) B = 80-89;
- 6 (3) C = 70-79;
- 7 (4) D = 60-69; and
- 8 (5) F = 59 and below.

9 (b)(1) Each letter grade shall be given a numeric value for the
 10 purpose of determining grade average.

11 (2) Except for ~~Advanced Placement~~ accelerated learning courses,
 12 and approved courses for weighted credit, ~~courses offered under the~~
 13 ~~International Baccalaureate Diploma Programme, and honors courses,~~ the
 14 numeric value for each letter grade shall be:

- 15 (A) A = 4 points;
- 16 (B) B = 3 points;
- 17 (C) C = 2 points;
- 18 (D) D = 1 point; and
- 19 (E) F = 0 points.

20 (c)(1) The State Board of Education shall promulgate rules for
 21 accelerated learning and approved courses for weighted credit that address
 22 the following:

23 (A) ~~Adopt appropriate equivalents for advanced placement~~
 24 ~~and college courses; and~~

25 (B) ~~Recommend a uniform grading structure for honors~~
 26 ~~courses.~~

27 (2) ~~Weighted credit shall be allowed for advanced placement~~
 28 ~~courses and courses offered under the International Baccalaureate Diploma~~
 29 ~~Programme if:~~

30 (A) ~~The student takes the entire Advanced Placement course~~
 31 ~~or the entire course offered in the International Baccalaureate Diploma~~
 32 ~~Programme in a particular subject;~~

33 (B) ~~The student completes the applicable test offered by~~
 34 ~~the College Board for advanced placement courses at the end of the advanced~~
 35 ~~placement course or the applicable test offered by the International~~
 36 ~~Baccalaureate at the time prescribed by the organization; and~~

1 ~~(C)(i) A teacher of an advanced placement course meets~~
 2 ~~Arkansas teacher licensure requirements and:~~

3 ~~(a) Attends at least one (1) of the following~~
 4 ~~trainings no less than one (1) time every five (5) years:~~

5 ~~(1) College Board Advanced Placement~~
 6 ~~Summer Institute;~~

7 ~~(2) College Board endorsed training; or~~

8 ~~(3) Other similarly rigorous training~~
 9 ~~approved by the Division of Elementary and Secondary Education; or~~

10 ~~(b) Completes an additional training plan for~~
 11 ~~Advanced Placement within three (3) years of commencing the additional~~
 12 ~~training plan; or~~

13 ~~(ii) A teacher of a course offered under the~~
 14 ~~International Baccalaureate Diploma Programme meets Arkansas teacher~~
 15 ~~licensure requirements and attends the training required by the International~~
 16 ~~Baccalaureate Standards;~~

17 (B) Grading scales;

18 (C) A numeric value for the purpose of determining grade
 19 average; and

20 (D) Weight given to the numeric value as provided in
 21 subdivision (b)(2) of this section.

22 ~~(3)(2)~~ The Division of Elementary and Secondary Education ~~may~~
 23 shall approve a course for weighted credit if the course:

24 (A) Exceeds the curriculum standards for a nonweighted
 25 credit class; ~~or~~

26 (B) Meets or exceeds the standards of a comparable
 27 ~~advanced placement class~~ accelerated learning course; or

28 (C) Is identified by the Division of Elementary and
 29 Secondary Education as an honors class.

30 ~~(4)(A)(3)(A)~~ The Division of Elementary and Secondary Education
 31 in collaboration with the Division of Career and Technical Education may
 32 approve a career and technical course within an approved career and technical
 33 pathway for weighted credit if the course:

34 (i) Exceeds the curriculum standards for a
 35 nonweighted class; and

36 (ii) Leads to an approved industry-recognized

1 certification or concurrent credit.

2 (B) The Division of Career and Technical Education shall:

3 (i) Review new and existing career and technical
4 pathways to determine which courses within the career and technical pathways
5 meet criteria for weighted credit; and

6 (ii) Publish a list of approved career and technical
7 pathways annually by January 1.

8 (C) Criteria used to determine what courses within a
9 career and technical pathway shall receive weighted credit shall include
10 without limitation the consideration of career and technical pathways that:

- 11 (i) Lead to high-value industry credentials; and
12 (ii) Align to state and local workforce data.

13 (D) Weighted credit awarded under subdivision ~~(e)(4)(A)~~
14 (c)(3)(A) of this section shall be awarded for each course upon:

15 (i) Completing the relevant career and technical
16 pathway; and

17 (ii) Earning the high-value industry credential
18 aligned with the career and technical pathway.

19 ~~(5)(A) A local school district board of directors may adopt a
20 policy to allow high school students in the public school district to take
21 college courses for weighted credit equal to the numeric grade awarded in
22 Advanced Placement courses, courses offered under the International
23 Baccalaureate Diploma Programme, and honors classes.~~

24 ~~(B)(i) If a local school district board of directors
25 adopts a policy under subdivision (c)(5)(A) of this section, the school
26 district shall apply to the Division of Elementary and Secondary Education
27 for approval.~~

28 ~~(ii) An application under subdivision (c)(5)(B)(i) of
29 this section shall be reviewed for approval to assign a numeric grade value,
30 which may include weighted credit, based on the following:~~

31 ~~(a) A letter from the superintendent of the
32 public school district or principal of the public school describing how the
33 course exceeds expectations for coursework required under the Standards for
34 Accreditation of Arkansas Public Schools and School Districts; and~~

35 ~~(b) The grade level or levels of public school
36 students who will be enrolled in the course.~~

1 (d) ~~A public school district may use the grading scale in this section~~
2 ~~in the public school district's elementary schools.~~

3 (e) The Division of Elementary and Secondary Education may promulgate
4 rules to implement this section.

5
6 SECTION 12. Arkansas Code § 6-15-1004(b)(2)(C), concerning the
7 continuing education and professional development requirement under the
8 Standards for Accreditation of Arkansas Public Schools and School Districts,
9 is amended to read as follows:

10 (C) For purposes of the requirement for continuing
11 education and professional development under this section, each hour of
12 training received by licensed personnel related to teaching an ~~advanced~~
13 ~~placement class for a subject covered by the College Board and Educational~~
14 ~~Testing Service~~ accelerated learning course shall be counted as professional
15 development up to a maximum of thirty (30) hours.

16
17 SECTION 13. Arkansas Code § 6-15-1301(b)(1), concerning the membership
18 of the Safe Schools Committee under the Safe Schools Initiative Act, is
19 amended to read as follows:

20 (b)(1) The Safe Schools Committee shall be composed of ~~the following~~
21 ~~individuals and stakeholders deemed necessary and appointed by the~~
22 Commissioner of the Division of Elementary and Secondary Education;

23 (A) ~~One (1) classroom teacher appointed by the Arkansas~~
24 ~~Education Association;~~

25 (B) ~~Two (2) school administrators appointed by the~~
26 ~~Arkansas Association of Educational Administrators;~~

27 (C) ~~Two (2) school district board members appointed by the~~
28 ~~Arkansas School Boards Association;~~

29 (D) ~~A staff member of the division appointed by the~~
30 ~~Commissioner of Elementary and Secondary Education;~~

31 (E) ~~A school safety specialist, employed by an Arkansas~~
32 ~~school district, appointed by the commissioner;~~

33 (F) ~~One (1) school counselor appointed by the Arkansas~~
34 ~~Counseling Association;~~

35 (G) ~~The Director of the Criminal Justice Institute and of~~
36 ~~the Arkansas Center for School Safety, or his or her designee;~~

1 ~~(H) One (1) classroom teacher appointed by the Arkansas~~
 2 ~~State Teachers Association;~~

3 ~~(I) The Director of the Division of Emergency Management,~~
 4 ~~or his or her designee;~~

5 ~~(J) The Executive Director of the Arkansas Public School~~
 6 ~~Resource Center, Inc., or his or her designee;~~

7 ~~(K) A chief of police or a sheriff appointed by the~~
 8 ~~commissioner;~~

9 ~~(L) The Executive Director of the Arkansas Rural Ed~~
 10 ~~Association, or his or her designee;~~

11 ~~(M) The State Fire Marshal, or his or her designee;~~

12 ~~(N) One (1) school psychologist appointed by the Arkansas~~
 13 ~~School Psychology Association; and~~

14 ~~(O) One (1) director of an Arkansas education service~~
 15 ~~cooperative appointed by the commissioner.~~

16
 17 SECTION 14. Arkansas Code § 6-15-1303(d)(3)(A), concerning the
 18 provision of training and technical assistance under the Safe Schools
 19 Initiative Act, is amended to read as follows:

20 (3)(A) The Arkansas Center for School Safety of the Criminal Justice
 21 Institute shall be the state school safety clearinghouse and shall
 22 collaborate with the following entities to provide a comprehensive,
 23 efficient, and effective resource for education and law enforcement personnel
 24 to obtain training and technical assistance to meet the school safety needs
 25 of students in this state:

26 (i) The Division of Elementary and Secondary
 27 Education;

28 (ii) The Safe Schools Committee established under
 29 this subchapter; and

30 ~~(iii) The Arkansas Association of Educational~~
 31 ~~Administrators;~~

32 ~~(iv) The Arkansas School Boards Association;~~

33 ~~(v) Education service cooperatives;~~

34 ~~(vi) The Division of Emergency Management;~~

35 ~~(vii) The Arkansas Public School Resource Center,~~
 36 ~~Inc.; and~~

~~(viii) Other key stakeholders.~~

SECTION 15. Arkansas Code Title 6, Chapter 15, Subchapter 21, is amended to add an additional section to read as follows:

6-15-2102. Definition.

As used in this subchapter, "school" includes a public school within a traditional public school district and an open-enrollment public charter school.

SECTION 16. Arkansas Code § 6-15-2108 is amended to read as follows:

6-15-2108. School rating system.

(a) The school rating system shall be a multiple-measures approach that shall include without limitation:

- (1) Academic achievement on the annual statewide student assessment;
- (2) Student growth on the annual statewide student assessment;
- and
- (3) School-level graduation rate or rates; ~~and~~
- ~~(4) English learner progress or growth in acquiring English.~~

~~(b) The school rating system shall consider without limitation at least one (1) or more of the following indicators:~~

- ~~(1) Closing the achievement gap;~~
- ~~(2) Academic growth of student subgroups, including without limitation economically disadvantaged students, students from major racial and ethnic groups, English learners, and students with disabilities;~~
- ~~(3) The percentage of the grade nine (9) cohort with on-time completion of credit attainment at the end of grade nine (9);~~
- ~~(4) Equity in resource allocation;~~
- ~~(5) The percentage of students who earn:~~
 - ~~(A) Advanced placement credit;~~
 - ~~(B) Concurrent credit;~~
 - ~~(C) International Baccalaureate credit; or~~
 - ~~(D) Industry recognized certification that leads to articulated or concurrent credit at a postsecondary institution;~~
- ~~(6) Student access to multiple flexible learning continua, including but not limited to personalized, competency, or mastery learning;~~

1 ~~(7) Student access to preschool offered by the public school~~
 2 ~~district;~~

3 ~~(8) The proportional percentage of qualified educators who hold~~
 4 ~~a National Board for Professional Teaching Standards certification or have an~~
 5 ~~advanced degree beyond their bachelor's degree; and~~

6 ~~(9) Public school district and community partnerships.~~

7 ~~(e)~~(b) Indicators included or considered as part of the school rating
 8 system shall:

9 (1) Allow for meaningful differentiation in school performance;
 10 and

11 (2) Be valid, reliable, comparable, and applicable statewide.

12 ~~(d)~~(c) The Division of Elementary and Secondary Education shall:

13 (1) ~~promulgate~~ Promulgate rules to implement this section; and

14 (2) Develop a formula to determine a letter grade under § 6-15-
 15 2105 for the following without limitation:

16 (A) A public school district; and

17 (B) An education service cooperative.

18
 19 SECTION 17. Arkansas Code § 6-16-140(a), concerning a certificate of
 20 attainment awarded to a student completing an approved vocational or
 21 technical career pathway or program of study at a public high school, is
 22 amended to read as follows:

23 (a) A student who successfully completes an approved vocational or
 24 technical career pathway or program of study at a public high school shall be
 25 awarded a certificate of attainment that shall be:

26 (1) Aligned in the appropriate career pathway or program of
 27 study; and

28 (2) Used for consideration of acceptance and ~~advanced~~ priority
 29 placement into an apprenticeship training program.

30
 31 SECTION 18. Arkansas Code § 6-16-148(a)(1), concerning the foundation
 32 of certain social studies or history courses offered in grades seven through
 33 twelve (7-12), is amended to read as follows:

34 (1) A social studies or history course conditioned upon
 35 knowledge of historical events from the colonial period to modern times of
 36 United States history for which graduation credit is or may be received,

1 except for ~~advanced placement program-specific accelerated learning~~ courses
 2 ~~approved by the Division of Elementary and Secondary Education;~~

3
 4 SECTION 19. Arkansas Code Title 6, Chapter 16, Subchapter 8, is
 5 repealed.

6 ~~Subchapter 8 — Arkansas Advanced Placement and International Baccalaureate~~
 7 ~~Diploma Incentive Program Act of 1995~~

8 ~~6-16-801. Title.~~

9 ~~This subchapter shall be known as and may be cited as the “Arkansas~~
 10 ~~Advanced Placement and International Baccalaureate Diploma Incentive Program~~
 11 ~~Act of 1995”.~~

12
 13 ~~6-16-802. Purpose.~~

14 ~~(a) The purpose of this subchapter is to serve as a legislative~~
 15 ~~charter for the establishment, organization, and administration of a program~~
 16 ~~designed to improve the course offerings available to middle school, junior~~
 17 ~~high school, and high school students throughout the state.~~

18 ~~(b) The program established under this subchapter will provide~~
 19 ~~advanced educational courses that are easily accessible and that will prepare~~
 20 ~~students for admission to and success in a postsecondary educational~~
 21 ~~environment.~~

22 ~~(c) A key component in the program is adequately preparing teachers~~
 23 ~~and schools in providing advanced placement courses or courses offered under~~
 24 ~~the International Baccalaureate Diploma Programme to their students.~~

25
 26 ~~6-16-803. Definitions.~~

27 ~~As used in this subchapter:~~

28 ~~(1) “Advanced placement course” means a high school level~~
 29 ~~preparatory course for a college advanced placement test that incorporates~~
 30 ~~all topics specified by the College Board and Educational Testing Service on~~
 31 ~~its standard syllabus for a given subject area and is approved by the College~~
 32 ~~Board and Educational Testing Service;~~

33 ~~(2) “College advanced placement test” means the advanced~~
 34 ~~placement test administered by the College Board and Educational Testing~~
 35 ~~Service;~~

36 ~~(3) “College Board” means the College Board and Educational~~

1 ~~Testing Service;~~

2 ~~(4) "International Baccalaureate Diploma Programme" means an~~
 3 ~~international education program offered by the International Baccalaureate;~~

4 ~~(5) "Preadvanced placement course" means a middle school, junior~~
 5 ~~high school, or high school level course that specifically prepares students~~
 6 ~~to enroll and participate in an advanced placement course;~~

7 ~~(6) "Program" means the Arkansas Advanced Placement and~~
 8 ~~International Baccalaureate Diploma Incentive Program; and~~

9 ~~(7) "State board" means the State Board of Education.~~

10
 11 ~~6-16-804. Established — Subsidies — Rules.~~

12 ~~(a) The Arkansas Advanced Placement and International Baccalaureate~~
 13 ~~Diploma Incentive Program is hereby established, to be administered by the~~
 14 ~~Commissioner of Elementary and Secondary Education.~~

15 ~~(b) Contingent upon legislative appropriations and based on criteria~~
 16 ~~established by the Division of Elementary and Secondary Education, schools~~
 17 ~~participating in the program may be awarded a one-time equipment and~~
 18 ~~instructional materials grant for providing an advanced placement course or a~~
 19 ~~course offered under the International Baccalaureate Diploma Programme.~~

20 ~~(c) Subject to legislative appropriations, a teacher participating in~~
 21 ~~the advanced placement program, in the International Baccalaureate Diploma~~
 22 ~~Programme, or in the preadvanced placement program may be awarded subsidized~~
 23 ~~teacher training for advanced placement courses at a cost not to exceed six~~
 24 ~~hundred fifty dollars (\$650) per teacher.~~

25 ~~(d)(1) Contingent upon legislative appropriation and the availability~~
 26 ~~of funding, the state may pay in full, or on a pro rata basis as determined~~
 27 ~~under subdivision (d)(2) of this section, the cost of the advanced placement~~
 28 ~~test fee or the equivalent test fee under the International Baccalaureate~~
 29 ~~Diploma Programme, or both.~~

30 ~~(2) The State Board of Education may create a sliding scale~~
 31 ~~based on family income.~~

32 ~~(e) The state board is authorized to promulgate rules necessary to~~
 33 ~~implement this subchapter.~~

34
 35 ~~6-16-805. Funding.~~

36 ~~(a) The awards granted under the provisions of this subchapter for~~

1 ~~both advanced placement and the International Baccalaureate Diploma Programme~~
 2 ~~may be funded by donations, grants, or legislative appropriation.~~

3 ~~(b) All donations, grants, and appropriations received shall be~~
 4 ~~accounted for by the Division of Elementary and Secondary Education.~~

5 ~~(c) The Commissioner of Elementary and Secondary Education may solicit~~
 6 ~~and receive donations and grants for the purpose of making awards.~~

7
 8 ~~6-16-806. Treatment as advanced placement course.~~

9 ~~Any high school course offered under the International Baccalaureate~~
 10 ~~Diploma Programme shall be treated the same as an advanced placement course,~~
 11 ~~including for the following purposes:~~

12 ~~(1) Weighted credit;~~

13 ~~(2) The Arkansas Advanced Placement and International~~
 14 ~~Baccalaureate Diploma Incentive Program Act of 1995, § 6-16-801 et seq.; and~~

15 ~~(3) Reporting requirements.~~

16
 17 SECTION 20. Arkansas Code §§ 6-16-1202 through 6-16-1204 are amended
 18 to read as follows:

19 6-16-1202. Definitions.

20 As used in this subchapter:

21 (1) ~~“Advanced Placement course” means a high school level~~
 22 ~~preparatory course for a college Advanced Placement test that:~~

23 ~~(A) Incorporates all topics specified by the College Board~~
 24 ~~and Educational Testing Service on its standards syllabus for a given subject~~
 25 ~~area; and~~

26 ~~(B) Is approved by the College Board and Educational~~
 27 ~~Testing Service;~~

28 (2) ~~“Endorsed concurrent enrollment course” means a college-~~
 29 ~~level course offered by an institution of higher education in this state that~~
 30 ~~upon completion would qualify for academic credit in both the institution of~~
 31 ~~higher education and a public high school that:~~

32 ~~(A) Is in one (1) of the four (4) core areas of math,~~
 33 ~~English, science, and social studies;~~

34 ~~(B) Meets the requirements of § 6-16-1204(b); and~~

35 ~~(C) Is listed in the Arkansas Course Transfer System of~~
 36 ~~the Division of Higher Education;~~

1 ~~(3) “Pre Advanced Placement course” means a middle school,~~
 2 ~~junior high school, or high school level course that specifically prepares~~
 3 ~~students to enroll and to participate in an advanced placement course; and~~

4 ~~(4) “Vertical team” means a group of educators from different~~
 5 ~~grade levels in a given discipline who work cooperatively to develop and~~
 6 ~~implement a vertically aligned program aimed at helping students from diverse~~
 7 ~~backgrounds acquire the academic skills necessary for success in the Advanced~~
 8 ~~Placement program and other challenging coursework “Accelerated learning”~~

9 ~~means an organized method of learning that enables students to meet~~
 10 ~~individual academic goals and graduation requirements while pursuing higher~~
 11 ~~levels of skill development, including without limitation the following~~
 12 ~~coursework:~~

13 ~~(A) A College Board pre-Advanced Placement and Advanced~~
 14 ~~Placement course;~~

15 ~~(B) An International Baccalaureate Diploma Programme~~
 16 ~~course;~~

17 ~~(C) A Cambridge Advanced International Certificate of~~
 18 ~~Education course;~~

19 ~~(D) A concurrent credit course; and~~

20 ~~(E) A substantively similar course or program approved by~~
 21 ~~the Division of Elementary and Secondary Education; and~~

22 ~~(2) “Concurrent credit course” means a college-level course offered by~~
 23 ~~an institution of higher education in this state that upon completion would~~
 24 ~~qualify for academic credit in both the institution of higher education and a~~
 25 ~~public high school.~~

26
 27 6-16-1203. Teacher skills and training.

28 ~~(a)(1) A teacher of an Advanced Placement course must obtain~~
 29 ~~appropriate training.~~

30 ~~(2) The State Board of Education shall establish clear,~~
 31 ~~specific, and challenging training guidelines that require teachers of~~
 32 ~~College Board advanced placement courses and teachers of pre-Advanced~~
 33 ~~Placement courses to obtain College Board sponsored or endorsed training.~~

34 ~~(3) The training may include vertical team training.~~

35 ~~(b)(a) An instructor of an endorsed concurrent enrollment an~~
 36 ~~accelerated learning or concurrent credit course shall have meet the~~

1 requirements of the:

2 (1) Institution of higher education that is offering the course;

3 or

4 (2) Accrediting organization authorized under § 6-16-1202+

5 ~~(1)(A) No less than a master's degree that includes at least~~
6 ~~eighteen (18) hours of completed course work in the subject area of the~~
7 ~~endorsed concurrent enrollment course.~~

8 ~~(B)(b)(1) The An~~ instructor's credentials shall be
9 approved by the academic unit or chief academic officer of the institution of
10 higher education offering the ~~endorsed~~ concurrent credit enrollment course;
11 ~~and.~~

12 (2) The relevant credentials and experience necessary to teach
13 from the syllabus approved by the institution of higher education granting
14 the course credit.

15

16 6-16-1204. Implementation.

17 ~~(a)(1) In order to prepare students for the rigor inherent in Advanced~~
18 ~~Placement courses, school districts shall offer pre-Advanced Placement~~
19 ~~courses to prepare students for the demands of Advanced Placement coursework.~~

20 ~~(2) The Division of Elementary and Secondary Education shall~~
21 ~~approve all classes designated as pre-Advanced Placement courses.~~

22 ~~(b) An endorsed A~~ concurrent credit enrollment course must meet the
23 following requirements:

24 (1) The course must be a course offered by an institution of
25 higher education in this state that is:

26 (A) Approved through the institution of higher education's
27 normal process; and

28 (B) Listed in the institution of higher education's
29 catalog;

30 (2) The course content and instruction must meet the same
31 standards and adopt the same learning outcomes as those developed for a
32 course taught on the campus of the institution of higher education, including
33 without limitation:

34 (A) The administration of any departmental exams
35 applicable to the course; and

36 (B) The use of substantially the same book and syllabus as

1 is used at the college level;

2 (3) The course must be taught by an instructor with the
3 qualifications required under ~~§ 6-16-1203(b)~~ § 6-16-1203;

4 (4) The institution of higher education offering the course
5 must:

6 (A) Provide to the course instructor staff development,
7 supervision, and evaluation; and

8 (B)(i) Provide the students enrolled in the course with:

9 (a) Academic guidance counseling; and

10 (b) The opportunity to utilize the on-campus
11 library or other academic resources of the institution of higher education.

12 (ii) ~~Nothing in this~~ This subdivision ~~(b)(4)~~ (a)(4)
13 shall not preclude institutions of higher education from collaborating to
14 meet the requirements of this subdivision ~~(b)(4)~~ (a)(4);

15 (5) To be eligible to enroll in ~~an endorsed~~ a concurrent
16 ~~enrollment~~ credit course, the student must:

17 (A) Be admitted by the institution of higher education as
18 a nondegree or noncertificate-seeking student; and

19 (B) Meet all of the prerequisites for the course in which
20 he or she is enrolled; and

21 (6)(A) Credit for the ~~endorsed~~ concurrent ~~enrollment~~ credit
22 course may only be awarded by the institution of higher education offering
23 the course.

24 (B) ~~Nothing in this~~ This subdivision ~~(b)(6)~~ (a)(6) shall
25 not preclude institutions of higher education from collaborating to provide
26 the course and award course credit.

27 ~~(e)(b)~~ Beginning with the ~~2008-2009~~ 2025-2026 school year, all public
28 school districts and open-enrollment public charter schools shall offer ~~one~~
29 ~~(1) College Board Advanced Placement course in each of the four (4) core~~
30 ~~areas of math, English, science, and social studies for a total of four (4)~~
31 ~~courses at least four (4) accelerated learning courses that cover the~~
32 following subject areas:

33 (1) Math;

34 (2) English;

35 (3) Science; and

36 (4) Social studies.

1 ~~(d)(1) The requirement under subsection (c) of this section shall be~~
 2 ~~phased in over a period of four (4) years beginning with the 2005-2006 school~~
 3 ~~year.~~

4 ~~(2) Beginning with the 2008-2009 school year, all high schools~~
 5 ~~in Arkansas shall offer a minimum of four (4) Advanced Placement courses by~~
 6 ~~adding at least one (1) core course each year to the list of courses~~
 7 ~~available to high school students.~~

8 ~~(e)(1)(A) A state supported two year or four year institution of~~
 9 ~~higher education may offer a reduced tuition rate for endorsed concurrent~~
 10 ~~enrollment courses offered by the institution of higher education to high~~
 11 ~~school students under this subchapter.~~

12 ~~(B) The reduction in tuition under subdivision (e)(1)(A)~~
 13 ~~of this section or any tuition paid by the institution of higher education~~
 14 ~~under subdivision (e)(3)(B) of this section shall not be considered an~~
 15 ~~institutional scholarship.~~

16 ~~(2) The number of students enrolled and the semester credit~~
 17 ~~hours for endorsed concurrent enrollment courses shall be included in the~~
 18 ~~calculation of full-time equivalent enrollment for the institution of higher~~
 19 ~~education.~~

20 ~~(3)(A) A national school lunch student, as defined in § 6-20-~~
 21 ~~2303, shall not be required to pay any of the costs up to a maximum of six~~
 22 ~~(6) credit hours of endorsed concurrent enrollment courses that are taught:~~

23 ~~(i) On the grounds of the public school district in~~
 24 ~~which the student is enrolled; and~~

25 ~~(ii) By a teacher employed by the public school~~
 26 ~~district in which the student is enrolled.~~

27 ~~(B) The costs for endorsed concurrent enrollment courses~~
 28 ~~under subdivision (e)(3)(A) of this section shall be paid:~~

29 ~~(i) By the public school district in which the~~
 30 ~~student is enrolled;~~

31 ~~(ii) By the institution of higher education offering~~
 32 ~~the course; or~~

33 ~~(iii) Through a cost sharing agreement between the~~
 34 ~~public school district and the institution of higher education.~~

35 (c)(1) Beginning with the 2025-2026 school year and each year
 36 thereafter, the tuition rate for a concurrent credit course shall:

1 (A)(i) For every one (1) academic credit hour provided by
 2 an institution of higher education, be equivalent to two and one-half percent
 3 (2.5%) of the per-pupil amount each year or be an agreed upon amount not to
 4 exceed the equivalent of two and one-half percent (2.5%) of the per pupil
 5 amount each year as determined by the foundation funding amount established
 6 under § 6-20-2305 that is allotted per student to each public school district
 7 in which an eligible student resides.

8 (ii) If a concurrent credit course is taught by a
 9 teacher employed by a public school district and the public school district
 10 provides all tuition, fees, and course materials, then the tuition rate for
 11 every one (1) academic credit hour allotted by the concurrent credit course
 12 shall be three-fourths percent (0.75%) of the per-pupil amount each year as
 13 determined by the foundation funding amount established under § 6-20-2305
 14 that is allotted per student to each public school district in which an
 15 eligible student resides;

16 (B) Apply uniformly to all participating eligible state-
 17 supported institutions of higher education located in this state;

18 (C) Not exceed the standard tuition rate and fee structure
 19 of the institution of higher education providing the concurrent credit
 20 course; and

21 (D) Include all tuition, fees, and course materials.

22 (2)(A) An institution of higher education offering the
 23 concurrent credit course under this subchapter shall receive funding in the
 24 amount of the tuition rate from the student's school in which he or she is
 25 enrolled.

26 (B) An institution of higher education shall not receive
 27 funding for concurrent credit courses for tuition at secondary vocational
 28 centers under § 6-51-301 et seq. if the institution of higher education is
 29 already receiving funding designated for vocational center aid.

30
 31 SECTION 21. Arkansas Code § 6-17-309 is amended to read as follows:
 32 6-17-309. Licensure – Waiver.

33 ~~(a)(1)~~ A class of students shall not be under the instruction of a
 34 teacher who is not licensed to teach the grade level or subject matter of the
 35 class for more than sixty (60) consecutive school days in the same class
 36 during a school year.

1 ~~(2)(b)~~ Subsection (a) of this section shall not
2 apply to:

3 ~~(A)(1)~~ Nondegreed vocational-technical teachers;

4 ~~(B)(2)~~ Individuals approved by the Division of Elementary
5 and Secondary Education to teach the grade level or subject matter of the
6 class in the Division of Elementary and Secondary Education's distance
7 learning program;

8 ~~(C)(3)~~ Individuals teaching concurrent credit courses or
9 ~~advanced placement~~ accelerated learning courses who:

10 ~~(i)(A)~~ Are employed by a postsecondary institution;

11 ~~(ii)(B)~~ Meet the qualification requirements of a
12 postsecondary institution or the Division of Career and Technical Education;
13 and

14 ~~(iii)(C)~~ Are teaching in a course in which credit is
15 offered by an institution of higher education or a technical institute;

16 ~~(D)(4)~~ Licensed teachers teaching in one (1) of the
17 following settings:

18 ~~(i)(A)~~ An alternative learning environment;

19 ~~(ii)(B)~~ A juvenile detention facility;

20 ~~(iii)(C)~~ A residential and day alcohol, drug, and
21 psychiatric facility program;

22 ~~(iv)(D)~~ An emergency youth shelter;

23 ~~(v)(E)~~ A facility of the Division of Youth Services;
24 or

25 ~~(vi)(F)~~ A facility of the Division of Developmental
26 Disabilities Services;

27 ~~(E)(5)~~ Licensed special education teachers who are
28 teaching two (2) or more core academic subjects exclusively to children with
29 disabilities; or

30 ~~(F)(6)~~ Teachers who are working under an Aspiring Teacher
31 permit for a period of time not to exceed one (1) academic year or two (2)
32 consecutive semesters.

33 ~~(b)(1) If this requirement imposes an undue hardship on a school~~
34 ~~district, the school district may apply to the State Board of Education for a~~
35 ~~waiver.~~

36 ~~(2) The state board shall develop rules for granting a waiver.~~

1 ~~(3) Any school district that obtains a waiver shall send written~~
 2 ~~notice of the assignment to the parent or guardian of each student in the~~
 3 ~~classroom no later than the sixtieth school day after the date of the~~
 4 ~~assignment.~~

5 ~~(4) [Repealed.]~~

6
 7 SECTION 22. Arkansas Code § 6-17-709(d), concerning the professional
 8 development schedule for licensed educators, is amended to read as follows:

9 (d) The Division of Elementary and Secondary Education shall establish
 10 the curriculum under this section in collaboration with ~~educational agencies~~
 11 ~~and associations, including without limitation the:~~ relevant stakeholders.

12 ~~(1) Division of Higher Education;~~

13 ~~(2) Arkansas Association of Educational Administrators;~~

14 ~~(3) Arkansas Education Association;~~

15 ~~(4) Arkansas School Boards Association;~~

16 ~~(5) Arkansas Association for Supervision and Curriculum~~
 17 ~~Development;~~

18 ~~(6) Arkansas State Teachers Association; and~~

19 ~~(7) Arkansas Rural Ed Association.~~

20
 21 SECTION 23. Arkansas Code Title 6, Chapter 18, Subchapter 2, is
 22 amended to add an additional section to read as follows:

23 6-18-237. Absences for certain purposes unexcused.

24 (a) A public school district or open-enrollment public charter school
 25 shall not grant excused absences for purposes of:

26 (1) Political protest;

27 (2) Social or public policy advocacy; or

28 (3) Attempts to influence legislation or other governmental
 29 policy-making at the local, state, or federal level.

30 (b) Academic standards, teaching standards, education standards of any
 31 kind, curriculum, teacher professional development, and rules in the public
 32 school district or open-enrollment public charter school shall not authorize
 33 student walkouts for purposes of:

34 (1) Political protest;

35 (2) Social or public policy advocacy; or

36 (3) Attempts to influence legislation or other governmental

1 policy-making at the local, state, or federal level.

2 (c) This section does not prohibit students from attending curricular
 3 or cocurricular activities approved by the public school district or open-
 4 enrollment public charter school for credit.

5
 6 SECTION 24. Arkansas Code § 6-18-1104(b), concerning parental
 7 notification and permission related to school fundraising programs, is
 8 amended to read as follows:

9 (b) A one-page form for parental notification and permission shall be
 10 developed by the Division of Elementary and Secondary Education ~~in~~
 11 ~~cooperation with school administrators and the Arkansas Parent Teacher~~
 12 ~~Association.~~

13
 14 SECTION 25. Arkansas Code § 6-18-2004(b)(2)(G)(vi), concerning the
 15 direct and indirect services offered as comprehensive student services by a
 16 school counselor as part of a contributing member of a decision-making team
 17 in advanced placement and gifted and talented programs, is amended to read as
 18 follows:

19 (vi) ~~Advanced placement~~ Accelerated learning and
 20 gifted and talented programs.

21
 22 SECTION 26. Arkansas Code § 6-18-2004(c), concerning administrative
 23 activities performed by a school counselor, is amended to read as follows:

24 (c)(1) Administrative activities performed by a school counselor shall
 25 not exceed more than ten percent (10%) of the school counselor's time spent
 26 working during student contact days.

27 (2) Administrative activities provided by a school counselor in
 28 collaboration with other school personnel include without limitation:

29 (A) Coordinating state assessments, cognitive achievement
 30 assessments, ~~advanced placement~~ accelerated learning programs, and English
 31 language proficiency testing programs;

32 (B) Developing master schedules;

33 (C) Coordinating of:

34 (i) Teams convened under Section 504 of the
 35 Rehabilitation Act of 1973, Pub. L. No. 93-112;

36 (ii) Response-to-intervention teams;

- 1 (iii) English learner programs;
- 2 (iv) Parental involvement or family engagement
- 3 programs;
- 4 (v) Positive behavioral intervention support
- 5 programs;
- 6 (vi) Data entry; and
- 7 (vii) ~~Advanced placement~~ Accelerated learning and
- 8 gifted and talented programs; and

9 (D) Monitoring students in common areas such as the
 10 cafeteria, hallway, playground, and bus lines.

11
 12 SECTION 27. Arkansas Code § 6-20-2203(a)(4), concerning the
 13 development by the Division of Elementary and Secondary Education of the
 14 Arkansas Financial Accounting Handbook, is amended to read as follows:

15 (4) The rules shall be developed by the state board in
 16 cooperation with the division, and representatives from the ~~Arkansas~~
 17 ~~Association of Educational Administrators, the Arkansas Association of School~~
 18 ~~Business Officials, the Arkansas Education Association, the education service~~
 19 ~~cooperatives, and the~~ Legislative Joint Auditing Committee.

20
 21 SECTION 28. Arkansas Code § 6-20-2204(a)(3)(A), concerning required
 22 training for public school districts, open-enrollment public charter schools,
 23 and education service cooperatives under the Arkansas Educational Financial
 24 Accounting and Reporting Act of 2004, is amended to read as follows:

25 (3)(A) The instruction may be provided by an institution of
 26 higher education in this state, from instruction sponsored by the division,
 27 ~~by an in-service training program conducted by the Arkansas Association of~~
 28 ~~School Business Officials,~~ or from another provider.

29
 30 SECTION 29. Arkansas Code § 6-20-2204(b)(2), concerning required Tier
 31 II training for public school districts, open-enrollment public charter
 32 schools, and education service cooperatives under the Arkansas Educational
 33 Financial Accounting and Reporting Act of 2004, is amended to read as
 34 follows:

35 (2) Tier II training shall be developed by the division in
 36 cooperation with representatives from ~~the Arkansas Association of Educational~~

1 ~~Administrators, the Arkansas Association of School Business Officials, the~~
2 ~~Arkansas Education Association, the Legislative Joint Auditing Committee, and~~
3 ~~the education service cooperatives.~~
4

5 SECTION 30. Arkansas Code § 6-20-2207(b)(1), concerning the rules
6 governing the uniform budget and accounting system for school districts,
7 education service cooperatives, and open-enrollment public charter schools,
8 is amended to read as follows:

9 (b)(1)(A) The state board shall amend the rules, and the Division of
10 Elementary and Secondary Education shall amend the Arkansas Financial
11 Accounting Handbook provided in subsection (a) of this section as necessary.

12 ~~(B) The amendments, annual revisions, and financial~~
13 ~~accounting updates to the Arkansas Financial Accounting Handbook shall be~~
14 ~~developed with representatives from the Arkansas Association of School~~
15 ~~Business Officials, the education service cooperatives, and other school~~
16 ~~district officials as designated by the division.~~
17

18 SECTION 31. Arkansas Code § 6-21-113(a), concerning the membership of
19 the Advisory Committee on Public School Academic Facilities, is amended to
20 read as follows:

21 (a) To assist the Division of Public School Academic Facilities and
22 Transportation, there is established the Advisory Committee on Public School
23 Academic Facilities to be composed of the following members who must be
24 willing to devote adequate time to the work of the committee and who reflect
25 the demographics of the state:

26 (1) The Director of the Division of Public School Academic
27 Facilities and Transportation or the director's designee, who shall also
28 serve as secretary to the committee;

29 (2) One (1) person who is a licensed building contractor
30 experienced in public school construction ~~selected from a list of no fewer~~
31 ~~than three (3) names submitted by the Arkansas Chapter of the Associated~~
32 ~~General Contractors of America;~~

33 (3) One (1) person who is a licensed architect experienced in
34 public school design ~~submitted by the Arkansas Chapter, the American~~
35 ~~Institute of Architects;~~

36 (4) One (1) person who is a licensed or registered mechanical

1 engineer experienced in public school mechanical and plumbing systems design
2 ~~selected from a list of no fewer than three (3) names submitted by the~~
3 ~~Arkansas Society of Professional Engineers;~~

4 (5) One (1) person who is a licensed or registered electrical
5 engineer experienced in public school electrical systems design ~~selected from~~
6 ~~a list of no fewer than three (3) names submitted by the Arkansas Society of~~
7 ~~Professional Engineers;~~

8 (6) One (1) person who is a licensed or registered civil
9 engineer experienced in public school civil engineering design and
10 ~~construction selected from a list of no fewer than three (3) names submitted~~
11 ~~by the Arkansas Society of Professional Engineers;~~

12 (7) Two (2) persons selected by the Commission for Arkansas
13 Public School Academic Facilities and Transportation, one (1) of whom is
14 knowledgeable and holds certification in the field of educational technology
15 applications and strategies;

16 (8) ~~Two (2) persons selected from a list of six (6) names~~
17 ~~submitted by the Arkansas Association of Educational Administrators from its~~
18 ~~membership;~~

19 ~~(9) One (1) person selected from a list of three (3) names~~
20 ~~submitted by the Arkansas Education Association from its membership;~~

21 ~~(10) Two (2) persons selected from a list of six (6) names~~
22 ~~submitted by the Arkansas School Boards Association from its membership;~~

23 ~~(11) Two (2) persons selected from a list of six (6) names~~
24 ~~submitted by the Arkansas Rural Ed Association from its membership;~~

25 ~~(12) One (1) person selected from a list of three (3) names~~
26 ~~submitted by the Arkansas Public School Resource Center, Inc., from its~~
27 ~~membership; and~~

28 ~~(13) Three (3) persons, one (1) from each of the professions of~~
29 ~~construction, architecture, and education, selected by the commission to~~
30 ~~serve as ex-officio members of the committee based on prior service on the~~
31 ~~committee;~~

32 (9) One (1) licensed teacher appointed by the Commissioner of
33 Elementary and Secondary Education;

34 (10) One (1) principal appointed by the commissioner; and

35 (11) One (1) superintendent appointed by the commissioner.

36

1 SECTION 32. Arkansas Code § 6-21-817(b), concerning the membership of
 2 the Public School Americans with Disabilities Act Compliance Committee, is
 3 amended to read as follows:

4 (b) The committee shall be composed of ~~six (6) members as follows~~ the
 5 following members:

6 (1) One (1) member from the Building Authority Division;

7 (2) One (1) member from the Division of Public School Academic
 8 Facilities and Transportation;

9 (3) One (1) member from the ~~State Fire Marshal Office of the~~
 10 ~~Division of Arkansas State Police~~ Office of Fire Protection Services;

11 (4) One (1) member from the Division of Elementary and Secondary
 12 Education;

13 ~~(5) One (1) member from the Arkansas Association of Educational~~
 14 ~~Administrators;~~ and

15 ~~(6) One (1) member from the Arkansas Public School Resource~~
 16 ~~Center, Inc.~~

17 (5) Other relevant stakeholders deemed necessary by the members
 18 designated under subdivisions (b)(1)-(4) of this section.

19
 20 SECTION 33. Arkansas Code § 6-28-112(b), concerning academic course
 21 placement under the Arkansas Military Child School Transitions Act of 2021,
 22 is amended to read as follows:

23 (b) Academic course placement includes without limitation enrollment
 24 in:

25 (1) ~~Honors courses~~ Accelerated learning courses; and

26 (2) ~~The International Baccalaureate Diploma Programme;~~

27 ~~(3) Advanced Placement courses;~~ and

28 ~~(4) Academic, technical, and career pathway courses.~~

29
 30 SECTION 34. Arkansas Code Title 6, Chapter 28, Subchapter 2, is
 31 amended to add an additional section to read as follows:

32 § 6-28-207. Purple Star Schools.

33 (a) A public school district or an open-enrollment public charter
 34 school that shows a significant commitment to serving students and families
 35 connected to the United States Armed Forces may be designated as a Purple
 36 Star School or Purple Star School District.

1 **(b) The Division of Elementary and Secondary Education may promulgate**
 2 **rules to implement this section.**

3
 4 SECTION 35. Arkansas Code § 6-41-610(b)(2), concerning the membership
 5 of the committee that develops and updates the Arkansas Dyslexia Resource
 6 Guide, is amended to read as follows:

7 ~~(2)(A)~~ The committee shall include ~~one (1) representative who~~
 8 ~~has the following members who shall have~~ experience working in the field of
 9 dyslexia intervention ~~from the following organizations, and are~~ appointed by
 10 the Commissioner of Elementary and Secondary Education:

11 ~~(i)(A)~~ ~~The Arkansas Association of Educational~~
 12 ~~Administrators~~ One (1) public school administrator;

13 ~~(ii)(B)~~ The A representative from the Division of Learning
 14 Services of the Division of Elementary and Secondary Education;

15 ~~(iii)(C)~~ The A representative from the Division of Higher
 16 Education;

17 ~~(iv)(D)~~ ~~The Arkansas Education Association~~ One (1) public
 18 school licensed educator;

19 ~~(v)(E)~~ ~~The Arkansas School Boards Association~~ One (1)
 20 public school district board of directors member;

21 ~~(vi)(F)~~ ~~The Arkansas School Psychology Association,~~ A
 22 school psychologist with at least three (3) years of experience in testing
 23 for dyslexia; ~~and~~

24 ~~(vii)(G)~~ An education service cooperative administrator;
 25 and

26 ~~(B)(H)~~ Three (3) professionals who have worked in a public
 27 school who are knowledgeable in and have expertise in dyslexia screening and
 28 interventions.

29
 30 SECTION 36. Arkansas Code §§ 6-51-602 and 6-51-603 are amended to read
 31 as follows:

32 6-51-602. Definitions.

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

34 (1) "Admissions representative" means a person who executes an
 35 enrollment agreement and who receives compensation for the primary duties of
 36 encouraging prospective students to enroll for training in a program of study

1 offered by a school covered under the provisions of this subchapter;

2 (2) ~~“Board” means the State Board of Private Career Education~~
 3 Arkansas Higher Education Coordinating Board;

4 (3) ~~“Combination school” means any school in which programs of~~
 5 ~~study are conducted by both distance education and resident training;~~

6 (4) ~~“Director” means the authorized representative of the State~~
 7 ~~Board of Private Career Education for the purpose of administering the~~
 8 ~~provisions of this subchapter;~~

9 (5) ~~“Distance education school” means any school in which all~~
 10 ~~programs of study are conducted by distance education;~~

11 (6) ~~“Extension course site” means a location away from the~~
 12 ~~school where a course or courses are conducted one (1) or more times during~~
 13 ~~the licensure period;~~

14 (4) “Institution of higher education” means a:

15 (A) State-supported two-year or four-year college or
 16 university; or

17 (B) Private, nonprofit two-year or four-year college or
 18 university with its primary headquarters located in Arkansas that is eligible
 19 to receive Title IV federal student aid funds;

20 (7)(5) ~~“Program of study” means an organized unit of courses or~~
 21 ~~an individual course in which instruction is offered;~~

22 (8) ~~“Resident school” means any school in which all programs of~~
 23 ~~study are conducted in resident classrooms or held in public meeting~~
 24 ~~facilities;~~

25 (9)(6) ~~“Satellite school” means a location within the State of~~
 26 school located in Arkansas but away from the school where programs of study
 27 are offered on a regular continuing basis by Arkansas schools;

28 (10)(A)(7)(A) ~~“School” means any person, firm, partnership,~~
 29 ~~association, corporation, or other form of business organization seeking to~~
 30 ~~do business or offering in the State of Arkansas~~ an entity that offers:

31 (i) An Arkansas resident or correspondence training
 32 that leads to or enhances occupational qualifications;

33 (B) ~~“School” also means any firm, partnership,~~
 34 ~~association, corporation, or other form of business organization that offers~~
 35 ~~instruction~~

36 (ii) Instruction in airframe or power plant

1 mechanics;

2 ~~(C)(iii)~~ “School” also means any firm, partnership,
 3 association, corporation, or other form of business organization that offers
 4 ~~training~~ Training as preparation for passing exams that may lead to
 5 employment; or

6 ~~(D)(iv)~~ “School” also means any firm, partnership,
 7 association, corporation, or other form of business organization that offers
 8 ~~driver~~ Driver education training, excluding those courses taught to motor
 9 vehicle violators pursuant to court order.

10 ~~(E)(B)~~ “School” does not include:

11 ~~(i)~~ A program of instruction in yoga or in yoga-
 12 teacher training; or

13 ~~(ii)~~ An an institution that is subject to the
 14 jurisdiction of the Arkansas Higher Education Coordinating Board under ~~§ 6-~~
 15 ~~61-301~~ of higher education; and

16 ~~(11)(8)~~ “Student” or “enrollee” means a person who is seeking to
 17 enroll, has been enrolled, is sought for enrollment, or is seeking training
 18 or instruction in a school as defined in this section.

19
 20 6-51-603. Exemptions.

21 The following are exempt from licensure under this subchapter:

22 (1) Private institutions exclusively offering instruction at any
 23 or all levels from ~~preschool~~ prekindergarten through ~~twelfth~~ grade twelve
 24 (preK-12);

25 (2) Schools established by ~~laws of Arkansas~~ laws, ~~governed by~~
 26 ~~Arkansas boards~~, and permitted to operate for the sole purpose of providing
 27 specific training normally required to qualify persons for occupational
 28 licensure by state boards or commissions, which determine education and other
 29 standards for licensure and operation of such schools;

30 (3) ~~State colleges and universities coordinated by the Arkansas~~
 31 ~~Higher Education Coordinating Board~~ Institutions of higher education;

32 (4) Programs of study offered by ~~institutions or individuals~~ for
 33 personal improvement, whether avocational or recreational, if designated
 34 through media or other sources as not for the purpose of enhancing an
 35 occupational objective;

36 (5) Schools operated solely to provide programs of study in

1 theology, divinity, religious education, and ministerial training;

2 (6) A training program offered or sponsored by an employer for
3 training and preparation of its own employees and for which no tuition fee is
4 charged the employee;

5 (7) A program of study sponsored by a recognized trade,
6 business, or professional organization for instruction of the members of the
7 organization with a closed membership and for which no fee is charged the
8 member;

9 (8) A school or educational institution supported by state or
10 local government taxation;

11 (9) Flight instructors and flight instruction schools licensed
12 under appropriate Federal Aviation Administration regulations and offering
13 only training for a private pilot's license;

14 (10) Schools covered by § 6-61-301(a)(3) and exempt from § 6-61-
15 101 et seq.;

16 (11) Training offered by other Arkansas state agencies, boards,
17 or commissions;

18 (12)(A) Training offered on military bases where a majority of
19 the students enrolled are active duty personnel or their adult family
20 members, United States Department of Defense civilian employees or their
21 adult family members, members of the United States Armed Forces reserve
22 components, and retirees.

23 (B) These organizations shall remain exempt from the
24 requirement for licensure if required to move off the military installation
25 for a period of not more than ninety (90) days because of a change in
26 security level which would not allow civilian students on the installation.

27 (C) ~~The State Board of Private Career~~ Division of Higher
28 ~~Education shall have the authority to~~ may review any situations that extend
29 past the ninety-day period and determine whether the exemption status should
30 remain for the school;

31 (13) Certified nurse aide or certified nursing assistant
32 training programs:

33 (A) Whose underlying majority ownership has ownership of
34 five (5) or more nursing facilities licensed by the Office of Long-Term Care;
35 and

36 (B) That are under the regulatory oversight of the office;

1 and

- 2 (14) Schools located outside the state that:
- 3 (A) Offer education or training outside the state; and
- 4 (B) Do not participate in distance education.

5
6 SECTION 37. Arkansas Code § 6-51-605 is amended to read as follows:

7 6-51-605. ~~State Board of Private Career Education~~ Authority of Division
8 of Higher Education.

9 (a)(1)(A) ~~The Governor shall appoint a State Board of Private Career~~
10 ~~Education of seven (7) members who shall serve for terms of seven (7) years.~~

11 (B) ~~The Governor shall make appointments or reappointments~~
12 ~~to the board to provide membership of three (3) persons associated with~~
13 ~~schools and four (4) persons from the general public.~~

14 (2) ~~The Commissioner of the Division of Higher Education and the~~
15 ~~Director of the Division of Career and Technical Education or their designees~~
16 ~~shall serve as nonvoting, ex officio members of the board.~~

17 (b)(1) ~~The board may elect the necessary officers, acting by and~~
18 ~~through the Commissioner of the Division of Higher Education.~~

19 (2) The Division of Higher Education shall have the sole
20 authority to:

21 (A)(1) Approve all schools offering programs of study
22 leading to or enhancing an occupational objective;

23 (B) ~~Administer and enforce this subchapter;~~ and

24 (C)(2) Issue licenses to schools that have met the
25 standards ~~set forth for the purposes of this subchapter~~ established by the
26 Division of Higher Education, including without limitation programs:

27 (A) Programs of study, ~~adequate;~~

28 (B) Adequate facilities, ~~financial;~~

29 (C) Financial stability, ~~qualified;~~

30 (D) Qualified personnel, ~~and legitimate;~~ and

31 (E) Legitimate operating practices.

32 (e)(b) Upon approval by the Division of Higher Education, any such
33 school may issue certificates or diplomas.

34 (d)(c) The Division of Higher Education shall:

35 (1) ~~Formulate the~~ Establish criteria and the standards ~~evolved~~
36 for the approval of ~~such~~ licensed schools;

1 (2) Provide for adequate investigation of all schools applying
2 for a license;

3 (3) Issue licenses to those applicants meeting the standards
4 ~~fixed~~ established by the Division of Higher Education; and

5 (4) Maintain a list of schools approved under ~~the provisions of~~
6 this subchapter.

7 ~~(e) The Division of Higher Education shall formulate the standards~~
8 ~~evolved under this subchapter for the approval of admissions representatives~~
9 ~~of such licensed schools and issue licenses to those applicants meeting the~~
10 ~~standards fixed by the Division of Higher Education.~~

11 ~~(f)(d) In consultation with the board, the~~ The Division of Higher
12 Education shall may promulgate standards and rules to be ~~prescribed for the~~
13 ~~administration of this subchapter and the management and operation of the~~
14 ~~schools and admissions representatives, subject to the provisions of~~
15 implement this subchapter.

16 ~~(g)(e) The Division of Higher Education shall participate in the~~
17 administer hearings before the Arkansas Higher Education Coordinating Board
18 for provided to schools and admissions representatives ~~in cases of~~ facing
19 revocation or denial of licensure.

20 ~~(h) Official meetings of the board may be called by the Chair of the~~
21 ~~State Board of Private Career Education as necessary, but meetings shall be~~
22 ~~held at least four (4) times a year.~~

23 ~~(i) A majority of favorable votes by the board members at an official~~
24 ~~meeting is required for adoption of a recommendation.~~

25 ~~(j) Board members may be reimbursed for expenses in accordance with §~~
26 ~~25-16-901 and stipends according to § 25-16-903.~~

27 ~~(k) The board may adopt and use a seal, which may be used for the~~
28 ~~authentication of the recommendations of the board.~~

29 ~~(l)(1)(f)(1)~~ (f)(1) The Division of Higher Education shall annually require
30 background investigations for all partners or shareholders with ten percent
31 (10%) or more ownership interest in a school when the school seeks an
32 original license.

33 (2) The Division of Higher Education may establish a schedule
34 for periodic background checks for partners or shareholders with ten percent
35 (10%) or more ownership interest in a school when seeking renewal of a school
36 license.

1 ~~(m)(1)(g)(1)~~ The partners or shareholders shall apply to the
 2 Identification Bureau of the Division of Arkansas State Police for a state
 3 and national criminal background check to be conducted by the Federal Bureau
 4 of Investigation.

5 (2) The check shall conform to the applicable federal standards
 6 and shall include the taking of fingerprints.

7 (3) The applicant shall sign a release of information to the
 8 board and shall be responsible to the Division of Arkansas State Police for
 9 the payment of any fee associated with the criminal background check.

10 (4) Upon completion of the criminal background check, the
 11 Identification Bureau of the Division of Arkansas State Police shall forward
 12 to the Division of Higher Education all information obtained concerning the
 13 person in the commission of any offense listed in § 6-51-606(g)(3).

14 (5)(A) The Division of Higher Education may issue a nonrenewable
 15 temporary license pending the results of the criminal background check.

16 (B) The temporary license shall be valid for no more than
 17 six (6) months.

18 (C) Upon receipt of information from the Identification
 19 Bureau of the Division of Arkansas State Police that only one (1) of the
 20 partners or shareholders of the school holding the license has been convicted
 21 of any offense listed in § 6-51-606(g)(3), the Division of Higher Education
 22 shall revoke the license.

23 ~~(n)(1)(h)(1)~~ ~~The provisions of Licensure revocation under § 6-51-~~
 24 ~~606(g)~~ may be waived by the Division of Higher Education upon the request of:

25 (A) An affected applicant for licensure; or

26 (B) The partners or shareholders of a school holding a
 27 license subject to revocation.

28 (2) Circumstances for which a waiver may be granted shall
 29 include, ~~but not be limited to,~~ without limitation the following:

30 (A) The age at which the crime was committed;

31 (B) The circumstances surrounding the crime;

32 (C) The length of time since the crime;

33 (D) Subsequent work history;

34 (E) Employment references;

35 (F) Character references; and

36 (G) Other evidence demonstrating that the applicant does

1 not pose a threat.

2 ~~(e)(1)(i)(1)~~ Any information received by the Division of Higher
3 Education from the Identification Bureau of the Division of Arkansas State
4 Police under this section shall not be available for examination except by:

5 (A) The affected applicant for licensure or his or her
6 authorized representative; or

7 (B) The person whose license is subject to revocation or
8 his or her authorized representative.

9 (2) No record, file, or document shall be removed from the
10 custody of the Division of Arkansas State Police.

11 ~~(p)(j)~~ Any information made available to the affected applicant for
12 licensure or the person whose license is subject to revocation shall be
13 information pertaining to that person only.

14 ~~(q)(k)~~ Rights of privilege and confidentiality established in this
15 section shall not extend to any document created for purposes other than the
16 background check required by this section.

17 ~~(r) In consultation with the board, the Division of Higher Education~~
18 ~~shall adopt the necessary rules to fully implement the provisions of this~~
19 ~~section.~~

20

21 SECTION 38. Arkansas Code § 6-51-606 is amended to read as follows:

22 6-51-606. School license generally.

23 (a) No persons shall operate, conduct, maintain, or offer to operate
24 in ~~this state~~ Arkansas a school as defined in this subchapter, or solicit the
25 enrollment of students residing in ~~the state~~ Arkansas, unless a license is
26 first secured from the Division of Higher Education ~~issued in accordance with~~
27 ~~the provisions of this subchapter and the rules promulgated by the division~~
28 ~~in consultation with the State Board of Private Career Education.~~

29 ~~(b)(1) Application~~ An application for a license shall be ~~filed in the~~
30 ~~manner and upon the forms prescribed and furnished by the division for that~~
31 ~~purpose~~ signed and include all required information as prescribed by the
32 division.

33 ~~(2) The application shall be signed by the applicant and~~
34 ~~properly verified and shall contain such information as may apply to the type~~
35 ~~and kind of school, satellite school, or extension course site for which a~~
36 ~~license is sought.~~

1 (c)(1) A license issued shall be restricted to the programs of study
2 specifically indicated in the application ~~for a license.~~

3 (2) The holder of a license shall present a supplementary
4 application for approval of additional programs of study.

5 (d) The license shall remain the property of the State of Arkansas and
6 shall be returned to the division upon cause.

7 (e) After a license is issued to any school by the division ~~on the~~
8 ~~basis of its application,~~ it shall be the responsibility of the school to
9 notify the division immediately ~~the division~~ of any changes in the ownership,
10 administration, location, faculty, or programs of study ~~on the forms and in~~
11 ~~the manner prescribed by the division.~~

12 (f)(1) In the event of the sale of such school, the license granted to
13 the original owner or operators shall not be transferable to the new
14 ownership or operators, ~~but.~~

15 (2) An application for a new license ~~must~~ shall be made and
16 approved before the new ownership's taking over operation of the school.

17 (g) The division shall have the power to deny issuing a new or renewal
18 license, to revoke an existing license, or to place a licensee on probation,
19 if in its discretion it determines that:

20 (1) The licensee has violated any of the provisions of this
21 subchapter or any of the rules of the division;

22 (2) The applicant or licensee has knowingly presented to the
23 division incomplete or misleading information relating to licensure;

24 (3) The applicant or licensee has pleaded guilty, entered a plea
25 of nolo contendere, or has been found guilty in a criminal proceeding,
26 regardless of whether or not the adjudication of guilt or sentence is
27 withheld, deferred, or suspended by a court of ~~this state~~ Arkansas, another
28 state, or the United States Government, of:

29 (A) Any felony; or

30 (B) Any act involving moral turpitude, gross immorality,
31 or which is related to the qualifications, functions, and duties of a
32 licensee;

33 (4) The applicant or licensee has intentionally failed or
34 refused to permit the division ~~or its representatives~~ to inspect the school
35 or classes or has intentionally failed or refused to make available to the
36 division, ~~at any time~~ when requested to do so, full information pertaining to

1 any or all items of information contained in an application for license or
2 pertaining to the operation of the school;

3 (5) The applicant has failed or refused to submit to the
4 division an application for license or renewal ~~in the manner and on the forms~~
5 ~~prescribed~~;

6 (6) A licensed admissions representative has failed or refused
7 to display or produce his or her license when requested to do so by
8 prospective students or ~~designated officials of~~ the division;

9 (7) The applicant or licensee has failed to provide or maintain
10 premises, equipment, materials, supplies, or conditions in accordance with
11 minimum standards as established by rules;

12 (8) The licensee has been found by the division or a court of
13 law to have perpetrated fraud or deceit in advertising of the school or
14 programs of study or in presenting to prospective students information
15 relating to the school, programs of study, employment opportunities, or
16 opportunities for enrollment in institutions of higher education;

17 (9) The licensee has in its employ any admissions
18 representatives who have not been licensed but are actively engaged in the
19 practice of attempting to enroll students;

20 (10) The licensee has failed to provide and maintain standards
21 of instruction or qualified administrative, supervisory, or instructional
22 staff as established by rules;

23 (11) The applicant or licensee is unable to provide and maintain
24 financial resources in sufficient amount to equip and maintain the school or
25 classes;

26 (12) The licensee has moved the school into new premises or
27 facilities without first notifying the division;

28 (13) The licensee has offered training or instruction in
29 programs of study which have not been approved and authorized in accordance
30 with rules;

31 (14) A licensed admissions representative has solicited
32 prospective students to enroll in a school which has not been licensed by the
33 division or which is not listed on his or her license;

34 (15) There was a change in the ownership of the school without
35 proper notification to and approval from the division;

36 (16) The licensee has failed to notify the division or to

1 provide written documentation as to the cause that the license of a school
2 has been suspended or revoked or the school has been placed on probation or a
3 show cause issued in another state or by another regulatory agency;

4 (17) The licensee has failed to notify the division of legal
5 actions initiated by or against the school; or

6 (18) The licensee fails to make tuition refunds to the students
7 or their lenders in compliance with current rules.

8 (h) The division shall have the power to revoke a license if in its
9 discretion it determines that:

10 (1) The licensee has failed to cure a deficiency leading to a
11 license probation within the time as may be reasonably prescribed by the
12 division;

13 (2) The licensee while on probation has been found by the
14 division to have incurred an additional infraction of this subchapter; or

15 (3) The licensee has closed a school without first having
16 completed the training of all students currently enrolled or having made
17 tuition refunds to students or their lenders.

18 (i) The division may impose sanctions under § 25-15-217.

19 (j)(1) Unless directed to do so by court order, the division shall
20 not, for a period of five (5) years following revocation, reinstate the
21 license of a school or allow an owner of any such school to seek licensure of
22 another school.

23 (2) Upon expiration of licensure status, the school must apply
24 for an original license in accordance with the provisions of this subchapter.

25 (k)(1) Upon closure of a school located in Arkansas and licensed under
26 any provision of this subchapter, whether for license revocation or any other
27 cause, all student financial aid records for the previous three (3) years and
28 all student transcripts regardless of age must be delivered to the division.

29 (2) Delivered records shall be arranged in alphabetical order
30 and stored in boxes or in data format at the discretion of the division.

31 (3) The division shall be responsible for the proper security,
32 storage, and maintenance of all such records.

33
34 SECTION 39. Arkansas Code § 6-51-607(a)(1), concerning the payment of
35 annual fees by a private resident and correspondence school, is amended to
36 read as follows:

1 (a)(1) Each school licensed under this subchapter shall pay annually a
2 fee to be set by the Division of Higher Education in consultation with the
3 ~~State Board of Private Career Education~~ Arkansas Higher Education
4 Coordinating Board.

5
6 SECTION 40. Arkansas Code § 6-51-609(k), concerning the promulgation
7 of rules related to private resident and correspondence schools, is repealed.

8 ~~(k) In consultation with the State Board of Private Career Education,~~
9 ~~the Division of Higher Education shall adopt the necessary rules to fully~~
10 ~~implement the provisions of this section.~~

11
12 SECTION 41. Arkansas Code § 6-51-610(a), concerning fees related to
13 private resident and correspondence schools, is amended to read as follows:

14 (a) In consultation with the ~~State Board of Private Career Education~~
15 Arkansas Higher Education Coordinating Board, the Division of Higher
16 Education shall set fees for schools and admissions representatives.

17
18 SECTION 42. Arkansas Code § 6-51-616 is amended to read as follows:
19 6-51-616. Student grievance procedure.

20 (a) Any student may file a written complaint with the Division of
21 Higher Education ~~on the forms prescribed and furnished by the division for~~
22 ~~that purpose~~ if the student has reason to believe he or she is suffering loss
23 or damage resulting from:

24 (1) The failure of a school to perform agreements made with the
25 student; or

26 (2) An admissions representative's misrepresentations in
27 enrolling the student.

28 (b)(1) All complaints shall be investigated, and attempts shall be
29 made to resolve them informally.

30 (2) If an informal resolution cannot be achieved, the aggrieved
31 party may request a formal hearing to be held before the ~~State Board of~~
32 ~~Private Career Education~~ Arkansas Higher Education Coordinating Board.

33 (c) The aggrieved party may not pursue resolution before the board if
34 legal action has been filed.

35 (d) The request for a hearing shall be in writing and filed with the
36 ~~director~~ division within one (1) year of completion of, or withdrawal from,

1 the school.

2 (e) The written request for a hearing shall name the parties involved
3 and specific facts giving rise to the dispute.

4 (f) The ruling of the board shall be binding upon the parties.
5

6 SECTION 43. The introductory language of Arkansas Code § 6-51-617(a),
7 concerning dispute resolution by the State Board of Private Career Education,
8 is amended to read as follows:

9 (a) ~~The State Board of Private Career Education~~ Arkansas Higher
10 Education Coordinating Board shall represent the sole authority to resolve
11 disputes between a student and a school as to grievances relating to:
12

13 SECTION 44. Arkansas Code § 6-51-621 is repealed.

14 ~~6-51-621. Construction of subchapter.~~

15 ~~Nothing in this subchapter shall be construed to affect the~~
16 ~~responsibilities of the Arkansas Higher Education Coordinating Board as~~
17 ~~defined in § 6-61-301.~~
18

19 SECTION 45. Arkansas Code § 6-51-622(d), concerning rules related to
20 noncommercial driver training instructions, is repealed.

21 ~~(d)(1) In consultation with the State Board of Private Career~~
22 ~~Education, the Division of Higher Education may promulgate reasonable rules~~
23 ~~to implement, enforce, and administer this section.~~

24 ~~(2) The rules of the division shall be issued in accordance with~~
25 ~~the Arkansas Administrative Procedure Act, § 25-15-201 et seq.~~
26

27 SECTION 46. Arkansas Code § 6-53-203(a), concerning powers and duties
28 of the Arkansas Higher Education Coordinating Board related to the technical
29 and community college system, is amended to add an additional subdivision to
30 read as follows:

31 (10) Promulgate rules to implement this chapter.
32

33 SECTION 47. Arkansas Code § 6-60-1504 is amended to read as follows:
34 6-60-1504. Limitations.

35 (a) Nothing in this subchapter shall be interpreted as:

36 (1) Giving a member of the campus community the right to disrupt

1 a previously scheduled or otherwise reserved activity;

2 (2) Authorizing a member of the campus community to disregard a
3 policy of the state-supported institution of higher education regarding:

4 (A) Compliance with state and federal laws on
5 discrimination and harassment; or

6 (B) The productive and efficient operation of an
7 instructional or work environment;

8 (3) Preventing a state-supported institution of higher education
9 from prohibiting, limiting, or restricting expression that is not protected
10 under the First Amendment to the United States Constitution or Article 2, §
11 6, of the Arkansas Constitution; or

12 (4) Prohibiting a state-supported institution of higher
13 education from imposing a restriction on the time, place, or manner of
14 expression in or on a campus forum, provided the restriction on the time,
15 place, or manner of expression:

16 (A) Is reasonable;

17 (B) Is justified without reference to the viewpoint of the
18 speaker;

19 (C) Is narrowly tailored to serve a significant state
20 interest; and

21 (D) Leaves open ample alternative channels for
22 communication of the information or message contained in the expression.

23 (b) A state-supported institution of higher education shall not grant
24 excused absences for:

25 (1) Purposes of political protest;

26 (2) Social or public policy advocacy; or

27 (3) Attempts to influence legislation or other governmental
28 policymaking at the local, state, or federal level.

29 (c) Academic standards, teaching standards, education standards,
30 curriculum, teacher professional development, and rules in a state-supported
31 institution of higher education shall not authorize student walkouts for
32 purposes of:

33 (1) Political protest;

34 (2) Social or public policy advocacy; or

35 (3) Attempts to influence legislation or other governmental
36 policymaking at the local, state, or federal level.

1 (d) This section shall not be construed to prohibit students from
 2 attending curricular or co-curricular activities approved by the state-
 3 supported institution of higher education for credit.

4 (e)(1) A student who negligently or intentionally causes damages to
 5 the property of a state-supported institution of higher education while
 6 engaging in a political protest or public policy advocacy shall be liable to
 7 the state-supported institution of higher education for damages caused by the
 8 student.

9 (2) A state-supported institution of higher education may seek
 10 to recover damages described in subdivision (e)(1) of this section in a court
 11 of competent jurisdiction.

12 (3) A student of a state-supported institution of higher
 13 education who has been found liable for damages described in subdivision
 14 (e)(1) of this section shall be subject to the following penalties until the
 15 judgment is fully satisfied:

16 (A) The student shall be ineligible to receive a degree or
 17 credential from the state-supported institution of higher education; and

18 (B) The state-supported institution of higher education
 19 shall not transfer or otherwise endorse credit issued by the state-supported
 20 institution of higher education for the purposes of satisfying degree
 21 requirements at any other state-supported institution of higher education.

22
 23 SECTION 48. Arkansas Code Title 6, Chapter 60, is amended to add
 24 additional subchapters to read as follows:

25 Subchapter 16 – Rejecting Discrimination and Indoctrination in Postsecondary
 26 Education

27
 28 6-60-1601. Legislative findings.

29 The General Assembly recognizes that:

30 (1) The First Amendment of the United States Constitution
 31 robustly protects the right to speak without government interference, but not
 32 to compel others to adopt, affirm, or adhere to specific beliefs;

33 (2) The Fourteenth Amendment of the United States Constitution
 34 provides that no state shall deny to any person within its jurisdiction the
 35 equal protection of the law;

36 (3) Title IV of the Civil Rights Act of 1964 promotes the

1 desegregation of public schools and authorizes the United States Attorney
 2 General to file lawsuits to enforce the provisions of the Civil Rights Act of
 3 1964. It defines "desegregation" as "the assignment of students to public
 4 schools and within such schools without regard to their race, color,
 5 religion, or national origin," thereby removing government-sanctioned racial
 6 discrimination in schools and implementing the United States Supreme Court's
 7 holding in "Brown v. Board of Education", 347 U.S. 483 (1954), that racial
 8 separation is a violation of the Equal Protection Clause of the Fourteenth
 9 Amendment; and

10 (4) Title VI of the Civil Rights Act of 1964 states that "No
 11 person in the United States shall, on the ground of race, color, or national
 12 origin, be excluded from participation in, be denied the benefits of, or be
 13 subjected to discrimination under any program or activity receiving Federal
 14 financial assistance".

15
 16 6-60-1602. Purpose.

17 (a) It is the intent of the General Assembly that administrators,
 18 faculty, and other employees of a state-supported institution of higher
 19 education maintain nondiscriminatory policies in accordance with Title IV,
 20 Title VI, and Title VII of the Civil Rights Act of 1964.

21 (b) This subchapter is enacted to:

22 (1) Prevent discrimination;
 23 (2) Promote the intellectual development of students and faculty
 24 in Arkansas; and

25 (3) Protect the free exchange of ideas according to the United
 26 States Constitution and the Arkansas Constitution.

27
 28 6-60-1603. Definitions.

29 As used in this subchapter:

30 (1) "Accreditation" means the status of public recognition that
 31 an accrediting agency grants to an educational institution;

32 (2) "Accrediting agency" means a legal entity or part of a legal
 33 entity that:

34 (A) Conducts accrediting activities; and
 35 (B) Makes decisions about the accreditation or pre-
 36 accreditation status of educational institutions;

1 (3) “Affirm, adopt, or adhere to” includes communicative speech
2 or act or action, including without limitation:

3 (A) Engaging in symbolic speech;

4 (B) Holding signs;

5 (C) Raising hands;

6 (D) Signing a pledge; or

7 (E) Participating in a parade, “privilege walk”, or
8 racially segregated activity of any sort;

9 (4) “Compel” means:

10 (A) Causing or pressuring an individual to perform an act
11 or action against his or her will; or

12 (B) Retaliating against an individual who declines to
13 perform an act against his or her will;

14 (5) “Diversity, equity, and inclusion initiative” or “DEI”
15 means:

16 (A) An office, division, department, or administrative
17 provider of a unit of study at a state-supported institution of higher
18 education with the purpose of:

19 (i) Influencing academic, administrative, hiring, or
20 employment practices at the state-supported institution of higher education;

21 (ii) Promoting:

22 (a) Preferences based upon race, color, sex,
23 ethnicity, or national origin;

24 (b) Differential treatment on the basis of
25 race, color, sex, ethnicity, or national origin; or

26 (c) Political or social activism to consider
27 race, color, sex, ethnicity, or national origin as factors in decision-
28 making, except where required by federal or state law; or

29 (iii) Any promotion described in subdivision
30 (5)(A)(ii) of this section that conflicts with state and federal
31 antidiscrimination laws; or

32 (B) Any program, activity, applicant statement, or
33 training described in § 6-60-1604 that promotes an activity described in
34 subdivision (5)(A)(ii) of this section;

35 (6) “State-supported institution of higher education” means a
36 public postsecondary institution or a department in a public postsecondary

1 institution that:

2 (A) Provides:

3 (i) An eligible program of training to prepare
4 students for gainful employment in a recognized occupation; or

5 (ii) A program leading to a baccalaureate degree or
6 a graduate degree; and

7 (B) Is accredited by a recognized accrediting agency or
8 association and has continuously held the accreditation for the number of
9 years required by the Division of Higher Education; and

10 (7) "Unit of study" means a class, single component, or subject
11 offered by a state-supported institution of higher education for the
12 completion of a degree or that leads to a postsecondary award, including
13 academic credit, or for the purposes of auditing a class.

14

15 6-60-1604. Prohibitions.

16 (a) An officer, agent, administrator, employee, teacher, or contractor
17 of a state-supported institution of higher education shall not compel another
18 officer, agent, administrator, employee, teacher, contractor, or student of
19 the state-supported institution of higher education to personally affirm,
20 adopt, or adhere to ideas or beliefs in violation of Title IV, Title VI, or
21 Title VII of the Civil Rights Act of 1964, including without limitation:

22 (1) That an individual should be adversely or advantageously
23 treated on the basis of his or her race, ethnicity, sex, color, or national
24 origin; and

25 (2) That an individual student of a state-supported institution
26 of higher education or group of students of a state-supported institution of
27 higher education, by virtue of their race, ethnicity, sex, color, or national
28 origin, bear collective guilt or are inherently responsible for actions
29 committed by other members of the same race, ethnicity, sex, color, or
30 national origin.

31 (b) An officer, agent, administrator, employee, teacher, or contractor
32 of a state-supported institution of higher education shall not adversely or
33 advantageously treat students of the state-supported institution of higher
34 education differently on the basis of race, ethnicity, sex, color, or
35 national origin except to the extent otherwise allowed by federal law.

36 (c)(1) An officer, agent, administrator, employee, teacher, or

1 contractor of a state-supported institution of higher education, when acting
2 in the course of his or her official duties, shall not organize, participate
3 in, or carry out any act or communication that would violate subsection (a)
4 of this section.

5 (2) The prohibition under subdivision (c)(1) of this section
6 shall not be construed to prohibit an employee of a state-supported
7 institution of higher education from:

8 (A) Discussing the ideas and history of the concepts
9 described in subsection (a) of this section for legitimate educational,
10 andragogical, or pedagogical purposes consistent with this subchapter; and

11 (B) Using methods of communication not in violation of
12 this subchapter.

13 (d) An officer, agent, administrator, employee, teacher, or contractor
14 of a state-supported institution of higher education may not condition
15 enrollment in or attendance of a class, training, or orientation of the
16 state-supported institution of higher education:

17 (1) On the basis of race, ethnicity, sex, color, or national
18 origin where not required by federal law; or

19 (2) On requiring an individual to personally affirm, adopt, or
20 adhere to a political, philosophical, religious, or other ideological
21 viewpoint.

22 (e) An officer, agent, administrator, employee, teacher, or contractor
23 of a state-supported institution of higher education shall not compel another
24 officer, agent, administrator, employee, teacher, contractor, or student of
25 the state-supported institution of higher education to personally affirm,
26 adopt, or adhere to a political, philosophical, religious, or other
27 ideological viewpoint.

28 (f) When taking an action on the accreditation or renewal of
29 accreditation of a state-supported institution of higher education, an
30 accrediting agency shall not:

31 (1) Base the accrediting decision in any way on a review or
32 consideration of DEI;

33 (2) Collect information related to DEI;

34 (3) Include any requirement related to DEI, including without
35 limitation requirement of a diversity statement from a state-supported
36 institution of higher education or any employee or contractor of a state-

1 supported institution of higher education; or

2 (4) Include any requirement that compliance with which would
3 require the state-supported institution of higher education to violate this
4 subchapter.

5 (g)(1) This subchapter does not prohibit officers, agents,
6 administrators, employees, teachers, contractors, or students of a state-
7 supported institution of higher education from discussing public policy
8 issues or ideas that individuals may find unwelcome, disagreeable, or
9 offensive.

10 (2) It is the policy of this state that a state-supported
11 institution of higher education educates students of the state-supported
12 institution of higher education on how to think and not what to think.

13 (h)(1) A state-supported institution of higher education that does not
14 immediately resolve a violation of this section shall demonstrate compliance
15 with all requirements of this section within a reasonable time.

16 (2)(A) A state-supported institution of higher education that
17 fails to demonstrate compliance with all requirements of this section within
18 a reasonable time as required under subdivision (h)(1) of this section shall
19 not be eligible for state funding under the state higher education funding
20 formula.

21 (B) In order to regain eligibility for receipt of state
22 funding, a state-supported institution of higher education shall demonstrate
23 compliance with all requirements of this section for not less than one (1)
24 fiscal year after the fiscal year in which the state-supported institution of
25 higher education became ineligible for receipt of state funding.

26 (i) A state-supported institution of higher education shall not expend
27 any state funds and shall reject any federal funds whose receipt requires the
28 state-supported institution of higher education to violate this subchapter.

29 (j) This subchapter shall not be construed to prevent compliance with
30 any state or federal civil rights laws that do not depend on receipt of state
31 or federal funding.

32 (k) A state-supported institution of higher education shall not
33 require a current or prospective officer, agent, administrator, employee,
34 teacher, contractor, or student of the state-supported institution of higher
35 education to submit a statement or diversity statement describing his or her
36 views on matters related to race, ethnicity, sex, color, or national origin

1 to be considered for the purposes of hiring, evaluating, admitting, or
2 promoting the officer, agent, administrator, employee, teacher, contractor,
3 or student of the state-supported institution of higher education.

4 (1) This subchapter may be enforced by the Attorney General on behalf
5 of the state.

6
7 Subchapter 17 – Arkansas Direct Admissions Program

8
9 6-60-1701 Title.

10 This subchapter shall be known and may be cited as the “Arkansas Direct
11 Admissions Program Act”.

12
13 6-60-1702. Definitions.

14 As used in this subchapter:

15 (1) “Application requirements” means the forms, payments, or
16 activities that are required to be completed by a student to apply to a
17 state-supported institution of higher education as set by each participating
18 institution;

19 (2) “Eligible student” means a student who resides in Arkansas
20 and attends a public or private accredited high school that has agreed to
21 participate in the Arkansas Direct Admissions Program;

22 (3) “Enrollment requirements” means the forms, payments, or
23 activities that are required to be completed by a student to enroll in a
24 state-supported institution of higher education as set by each participating
25 institution;

26 (4) “Participating institution” means a state-supported
27 institution of higher education, community college, or technical college
28 within Arkansas that uses the Arkansas Direct Admissions Program;

29 (5) “Participating public school” means:

30 (A) A public high school within a traditional public
31 school district that is accredited by the State Board of Education;

32 (B) An open-enrollment public charter school organized as
33 a high school that is authorized by the charter authorizing panel; and

34 (C) A private high school that is accredited by:

35 (i) The Arkansas Nonpublic School Accrediting
36 Association, Inc., or its successor; or

1 (ii) Another accrediting association recognized by
 2 the state board;

3 (6) “Provisional admissions criteria” means the minimum academic
 4 requirements that a student is required to meet to receive a provisional
 5 admissions offer from a participating institution; and

6 (7)(A) “Provisional admissions offer” means a determination that
 7 a student meets admissions criteria.

8 (B) “Provisional admissions offer” does not mean
 9 acceptance to a participating institution.

10
 11 § 6-60-1703. Arkansas Direct Admissions Program.

12 (a) There is established the Arkansas Direct Admissions Program.

13 (b) The program shall:

14 (1) Begin implementation with the high school graduating class
 15 of 2026-2027;

16 (2) Establish:

17 (A) Provisional admissions criteria, including without
 18 limitation:

19 (i) Grade point average;

20 (ii) Assessment scores; and

21 (iii) Course completion;

22 (B) Eligibility requirements for participating
 23 institutions that include without limitation:

24 (i) Application requirements; and

25 (ii) Enrollment requirements; and

26 (C) Eligibility requirements for participating public
 27 schools;

28 (3) Require the collection of student academic information to
 29 determine provisional admissions offers;

30 (4) Include a common application portal for eligible students to
 31 participate in the program that may include without limitation:

32 (A) Information about participating institutions;

33 (B) Communication of provisional admissions offers to
 34 participating students; and

35 (C) Information about available financial aid; and

36 (5) Include a plan to conduct outreach to eligible students to

1 provide the eligible students with information regarding the operation of the
2 program.

3 (c) This section shall not prevent a student who does not qualify for
4 a provisional admissions offer from applying for enrollment in a
5 participating institution through the participating institution's existing
6 admissions process.

7 (d) The Division of Higher Education may promulgate rules to implement
8 this subchapter.

9
10 § 6-60-1704. Duties of public school districts and open-enrollment
11 public charter schools.

12 (a) A public school district or open-enrollment public charter school
13 may opt to participate in the Arkansas Direct Admissions Program.

14 (b) A participating public school shall provide student data to the
15 Division of Higher Education that includes without limitation:

- 16 (1) Grade point average;
17 (2) Assessment scores; and
18 (3) Course completion.

19 (c)(1) Each public school district and open-enrollment public charter
20 school shall inform all students about participation in the Arkansas Direct
21 Admissions Program.

22 (2) A public school district or open-enrollment public charter
23 school shall not actively discourage or prohibit an eligible student from
24 participating in the Arkansas Direct Admissions Program.

25
26 SECTION 49. Arkansas Code Title 6, Chapter 61, Subchapter 1, is
27 amended to add an additional section to read as follows:

28 § 6-61-144. Purple Star Campuses.

29 (a) A state-supported institution of higher education that shows a
30 significant commitment to serving students and families connected to the
31 United States Armed Forces may be designated as a Purple Star Campus.

32 (b) The Division of Higher Education may promulgate rules to implement
33 this section.

34
35 SECTION 50. Arkansas Code § 6-61-201(a)-(c), concerning membership of
36 the Arkansas Higher Education Coordinating Board, are amended to read as

1 follows:

2 (a)(1) ~~The Beginning May 1, 2025, the~~ Arkansas Higher Education
3 Coordinating Board shall consist of ~~twelve (12)~~ seven (7) members appointed
4 by the Governor as follows:

5 (A)(i) ~~Six (6)~~ Four (4) members who shall be:

6 (a) Qualified electors of the State of
7 Arkansas; and

8 (b) Graduates of ~~public~~ two-year or four-year
9 state-supported institutions of higher education within the state.

10 (ii) If an appointee under this subdivision (a)(1)(A)
11 is serving as a member of a board of a two-year or four-year state-supported
12 institution of higher education at the time of appointment to the Arkansas
13 Higher Education Coordinating Board, the appointee shall relinquish his or
14 her membership on the board of the two-year or four-year state-supported
15 institution of higher education; and

16 (B)(i) ~~Six (6)~~ Three (3) members shall be selected from
17 business, industry, education, agriculturally related industry, and medical
18 services and shall not be current members of a board of a ~~public~~ two-year or
19 four-year state-supported institution of higher education.

20 (ii) At least one (1) of the appointees shall have a
21 strong interest in and commitment to economic and workforce development.

22 (iii) At least one (1) of the appointees shall have
23 experience in the knowledge-based technology field.

24 (2) No more than ~~four (4)~~ two (2) members of the Arkansas Higher
25 Education Coordinating Board shall be appointed from any one (1)
26 congressional district as the districts exist at the time of the appointment.

27 (b) Vacancies on the Arkansas Higher Education Coordinating Board
28 shall be filled for the unexpired terms, and the appointments shall be made
29 in the same manner as the positions vacated.

30 (c)~~(1)~~ The members of the Arkansas Higher Education Coordinating Board
31 shall serve staggered terms of six (6) years.

32 ~~(2) The terms of two (2) members shall expire each year.~~

33
34 SECTION 51. Arkansas Code § 6-61-202(a), concerning powers and duties
35 of the Arkansas Higher Education Coordinating Board, is amended to add
36 additional subdivisions to read as follows:

1 (8) Perform all other functions that may now or hereafter be
2 delegated to the Arkansas Higher Education Coordinating Board by law; and

3 (9) Promulgate rules to perform all duties and obligations to
4 implement this subchapter.

5
6 SECTION 52. Arkansas Code § 6-61-231(b)(1), concerning the purpose of
7 the statewide transfer agreement, is amended to read as follows:

8 (b)(1) The purpose of this section is to eliminate obstacles to
9 transfers of credits among ~~public~~ state-supported institutions of higher
10 education in Arkansas by providing a seamless transfer of academic credits
11 from a completed designated transfer degree program or a completed state
12 minimum core curriculum to a baccalaureate degree program without the loss of
13 earned credits and without the receiving ~~public~~ state-supported institution
14 of higher education requiring additional lower-division ~~general education~~
15 credits.

16
17 SECTION 53. Arkansas Code § 6-61-231(c), concerning the statewide
18 transfer agreement developed by the Arkansas Higher Education Coordinating
19 Board, is amended to add an additional subdivision read as follows:

20 (6)(A) Provides for a reverse transfer agreement for a student
21 seeking an associate degree that transfers to a four-year state-supported
22 institution of higher education before earning an associate of arts degree.

23 (B)(i) Except as provided in subsection (c)(6)(B)(ii), a
24 student shall be awarded an associate degree by the two-year state-supported
25 institution of higher education upon completing the degree requirements at
26 the four-year state-supported institution of higher education if the student
27 earned more than thirty (30) credit hours toward the associate degree at the
28 two-year state-supported institution of higher education.

29 (ii) A student eligible to receive an associate
30 degree under subdivision (c)(6)(B)(i) of this section shall be:

31 (a) Notified in writing that the student is
32 eligible to receive an associate degree;

33 (b) Provided an opportunity to decline the
34 award of the associate degree; and

35 (c) Awarded the associate degree if the
36 student takes no action within thirty (30) days of being provided notice

1 under subdivision (c)(6)(B)(ii)(a) of this section.

2 (C) A four-year state-supported institution of higher
 3 education shall identify each student who has completed requirements for an
 4 associate degree and, upon consent of the student, transfer credits earned at
 5 the four-year state-supported institution of higher education to the two-year
 6 state-supported institution of higher education so that the associate of arts
 7 degree may be awarded by the two-year state-supported institution of higher
 8 education.

9
 10 SECTION 54. Arkansas Code § 6-61-231(d)(2)(B), concerning the
 11 requirement of the Arkansas Higher Education Coordinating Board related to
 12 the statewide transfer agreement to identify postsecondary career education
 13 programs offered by two-year public institutions of higher education is
 14 amended to read as follows:

15 (B) Postsecondary career and technical education programs
 16 offered by two-year ~~public~~ state-supported institutions of higher education,
 17 including those designated as college-credit courses applicable toward a
 18 certificate or degree;

19
 20 SECTION 55. Arkansas Code § 6-61-234 is amended to read as follows:

21 6-61-234. Productivity-based funding model.

22 ~~(a)(1)(A) The Arkansas Higher Education Coordinating Board shall adopt~~
 23 ~~policies developed by the~~ Division of Higher Education may promulgate rules
 24 ~~necessary~~ to implement a productivity-based funding model for state-supported
 25 institutions of higher education, including without limitation two-year and
 26 four-year state-supported institutions of higher education.

27 ~~(B) The board shall adopt separate policies for two year~~
 28 ~~institutions of higher education and four year institutions of higher~~
 29 ~~education.~~

30 (2) The ~~policies~~ rules adopted to implement a productivity-based
 31 funding model for state-supported institutions of higher education shall
 32 contain measures for effectiveness, affordability, and efficiency that
 33 acknowledge the following priorities:

34 (A) Differences in institutional missions;

35 (B) Completion of students' educational goals;

36 (C) Progression toward students' completion of programs of

1 study;

2 (D) Affordability through:

3 (i) On-time completion of programs of study;

4 (ii) Limiting the number of excess credits earned by
5 students; and

6 (iii) Efficient allocation of resources;

7 (E)(i) Beginning in the 2026-2027 academic year,
8 incorporation of a return on investment metric into the productivity-based
9 funding model.

10 (ii) The return on investment metric under
11 subdivision (a)(2)(E)(i) of this section shall be defined by rule of the
12 Division of Higher Education.

13 (iii) The Division of Higher Education shall ensure
14 that the return on investment metric required under subdivision (a)(2)(E)(i)
15 of this section is aligned with state economic and workforce needs;

16 ~~(E)(F)~~ Institutional collaboration that encourages the
17 successful transfer of students;

18 ~~(F)(G)~~ Success in serving underrepresented students; and

19 ~~(G)(H)~~ Production of students graduating with credentials
20 ~~in science, technology, engineering, mathematics, and high demand fields that~~
21 align with statewide and regional workforce needs.

22 (3)(A) The Division of Higher Education may promulgate rules to
23 implement a funding formula to support noncredit programs at a state-
24 supported institution of higher education.

25 (B) Funding for a noncredit program shall come from the
26 following:

27 (i) Educational Excellence Trust Fund revenues;

28 (ii) General revenues authorized by law; and

29 (iii) Any other funds as provided by law.

30 (C) The Division of Higher Education shall consult with
31 the Governor's Workforce Cabinet during development of the funding formula
32 for the noncredit programs under subdivision (a)(3)(A) of this section.

33 ~~(3)(4)~~ The productivity-based funding model shall not determine
34 the funding needs of special units such as a medical school, a division of
35 agriculture, or system offices.

36 (b) The productivity-based funding model shall be:

1 (1) Used to align institutional funding with statewide
2 priorities for higher education by:

3 (A) Encouraging programs and services focused on student
4 success; and

5 (B) Providing incentives for progress toward statewide
6 goals; and

7 (2) Built around a set of shared principles that:

8 (A) Are embraced by state-supported institutions of higher
9 education;

10 (B) Employ appropriate productivity metrics; and

11 (C) Are aligned with goals and objectives for
12 postsecondary education attainment in this state.

13 (c)(1) The ~~board~~ Division of Higher Education shall use the
14 productivity-based funding model as the mechanism for recommending funding
15 for state-supported institutions of higher education.

16 (2) The ~~board~~ Division of Higher Education shall recommend
17 funding for:

18 (A) State-supported institutions of higher education as a
19 whole; and

20 (B) The allocation of funding to each state-supported
21 institution of higher education.

22 (3) The ~~board~~ Division of Higher Education ~~shall~~ may make
23 separate recommendations for:

24 (A) ~~two-year~~ Two-year state-supported institutions of
25 higher education; and

26 (B) ~~four-year~~ Four-year state-supported institutions of
27 higher education.

28 (d) Funds unallocated to state-supported institutions of higher
29 education due to productivity declines shall be reserved by the ~~division~~
30 Division of Higher Education to address statewide needs in higher education.

31 (e) The ~~division~~ Division of Higher Education shall review the
32 policies every five (5) years to ensure the productivity-based funding model
33 continues to respond to the needs and priorities of the state.

34 (f) In any fiscal year for which the aggregate general revenue funding
35 forecast to be available for state-supported institutions of higher education
36 is greater than two percent (2%) less than the amount provided for the

1 immediate previous fiscal year, the division shall not further implement the
2 productivity-based funding model until the following fiscal year.

3
4 SECTION 56. Arkansas Code § 6-61-1010, concerning authority of the
5 Arkansas Higher Education Coordinating Board under the Technical College and
6 Community College Capital Improvement Act of 1993, is amended to add an
7 additional subsection to read as follows:

8 (f) The Arkansas Higher Education Coordinating Board may promulgate
9 rules to implement this subchapter.

10
11 SECTION 57. Arkansas Code § 6-61-1402 is amended to read as follows:
12 6-61-1402. Courses included in common course numbering system.

13 (a)~~(1)~~ The Arkansas Higher Education Coordinating Board, in
14 collaboration with all state-supported institutions of higher education,
15 shall develop and approve a statewide common course numbering system ~~for~~
16 ~~lower division general education courses found within the Arkansas Course~~
17 ~~Transfer System.~~

18 ~~(2)~~(b) A state-supported institution of higher education that is
19 not in full compliance with this subchapter shall not be eligible to accept
20 state aid from the Higher Education Grants Fund Account on behalf of a
21 student.

22 ~~(b)(1) A course designated as an upper division course level may be~~
23 ~~offered by any four year state supported institution of higher education and~~
24 ~~shall be characterized by a need for advanced academic preparation and skills~~
25 ~~that a student would be unlikely to achieve without significant prior~~
26 ~~coursework.~~

27 ~~(2) Upper division courses are not required to be included in~~
28 ~~the common course numbering system.~~

29 ~~(c) A course designated as a lower division course level may be~~
30 ~~offered by any state supported institution of higher education.~~

31 ~~(d) The common course numbering system shall include the thirty five-~~
32 ~~hour general education core and major program prerequisites that are included~~
33 ~~in the state minimum core curriculum under § 6-61-231.~~

34
35 SECTION 58. Arkansas Code § 6-61-1403 is amended to read as follows:
36 6-61-1403. Additions or alterations.

1 ~~(a) The Commissioner of the Division of Higher Education shall~~
 2 ~~recommend to the Arkansas Higher Education Coordinating Board any additions~~
 3 ~~or alterations to the common course numbering system.~~

4 ~~(b) The board, with input from the Presidents Council, shall consider~~
 5 ~~the recommended additions and alterations to the common course numbering~~
 6 ~~system.~~

7 ~~(c) The board may adopt or refuse to adopt suggested additions or~~
 8 ~~alterations to the common course numbering system.~~

9 Beginning with the 2026-2027 academic year, the Division of Higher
 10 Education, in collaboration with the Division of Elementary and Secondary
 11 Education, shall:

12 (1) Make recommendations for additions and alterations to the
 13 common course numbering system; and

14 (2) Review the common course numbering system to begin aligning
 15 elementary and secondary courses.

16
 17 SECTION 59. Arkansas Code § 6-61-1406 is amended to read as follows:
 18 6-61-1406. Courses review.

19 (a) The Division of Higher Education, in consultation with the
 20 Division of Elementary and Secondary Education, shall:

21 (1) Regularly schedule reviews of ~~courses that are listed in~~ the
 22 common course numbering system; and

23 (2) Establish review procedures; ~~and~~

24 ~~(3) Adopt policies to carry out this section.~~

25 (b) The Division of Higher Education, in collaboration with the
 26 Division of Elementary and Secondary Education, may promulgate rules to
 27 implement this subchapter.

28
 29 SECTION 60. Arkansas Code § 6-63-104 is amended to read as follows:
 30 6-63-104. Faculty performance review.

31 (a)(1) The president and chancellor of each state-supported
 32 institution of higher education in Arkansas shall work with the campus
 33 faculties to develop a framework to review faculty performance, including
 34 post-tenure review.

35 (2)(A) The framework should be used to develop processes and
 36 procedures at each state-supported institution to ensure a consistently high

1 level of performance of the faculty at ~~Arkansas's publicly supported~~
2 ~~institutions~~ a state-supported institution of higher education.

3 (B) The effects of the review process of faculty
4 performance should include rewarding productive faculty, redirecting faculty
5 efforts to improve or to increase productivity, and correcting instances of
6 substandard performance.

7 (C) The framework developed by each state-supported
8 institution shall be reported to the House Committee on Education, the Senate
9 Committee on Education, the Joint Interim Oversight Committee on Education
10 Reform, and the Division of Higher Education no later than December 1, ~~1998~~
11 2025, and shall be implemented on the respective campuses no later than
12 January 1, ~~2001~~ 2026.

13 (b)(1) Pursuant to subsection (a) of this section, each state-
14 supported institution of higher education in Arkansas shall conduct a
15 rigorous, consistently applied, annual review of the performance of all full-
16 time faculty members.

17 (2) This review shall include assessments by peers, students,
18 and administrators and shall be utilized to ensure a consistently high level
19 of performance and serve in conjunction with other appropriate information as
20 a basis for decisions on promotion, salary increases, and job tenure. ~~The~~
21 ~~evaluation by students and administrative staff, shall be applicable to all~~
22 ~~teaching faculty, full-time, part-time, and graduate teaching assistants and~~
23 ~~shall include an assessment of the fluency in English of the faculty member~~
24 ~~or graduate teaching assistant. This review shall not be used to demote a~~
25 ~~tenured faculty member to a nontenured status.~~

26 (3) The review process may result in the following corrective
27 actions:

28 (A) Remedial training;

29 (B) Removal of tenure status; or

30 (C) Any other action permitted by the state-supported
31 institution of higher education's review policy.

32 (4)(A) A state-supported institution of higher education may
33 require an immediate for cause review of a faculty member as described in
34 subsection (f) of this section.

35 (B) A faculty member may appeal a state-supported
36 institution of higher education's performance review decision in accordance

1 with the provisions set by the state-supported institution of higher
 2 education in its faculty performance review framework.

3 (C) A state-supported institution of higher education
 4 shall provide a faculty member with appropriate due process.

5 (c)(1) Each ~~college and university~~ state-supported institution of
 6 higher education shall continually make efforts to identify any English
 7 fluency deficiencies of the teaching faculty and shall take reasonable
 8 measures to assist deficient faculty members in becoming proficient in
 9 English; however, the responsibility of acquiring the level of English
 10 proficiency required for the faculty member's teaching, research, or service
 11 assignments rests with the faculty member.

12 (2) Each ~~college and university~~ state-supported institution of
 13 higher education shall have a process for addressing concerns raised by
 14 students concerning language proficiency problems of faculty members.

15 (d)(1) ~~The division~~ A state-supported institution of higher education
 16 shall be responsible for monitoring the ~~evaluation~~ performance review process
 17 ~~and shall report its findings to the Arkansas Higher Education Coordinating~~
 18 ~~Board and to the Legislative Council by August 1 of each year~~ of all faculty
 19 members.

20 (2) The state-supported institution of higher education shall
 21 report by August 1 each year to its governing board the number of:

- 22 (A) Tenure track positions;
- 23 (B) Faculty members with current tenure status;
- 24 (C) Faculty members that initially received tenure status;
- 25 (D) Faculty members with tenure status in which tenure was
 26 reviewed that year; and
- 27 (E) Faculty members whose tenure status was:
 - 28 (i) Maintained;
 - 29 (ii) Conditionally maintained; and
 - 30 (iii) Revoked.

31 (e) Each state-supported institution of higher education shall require
 32 full-time faculty members of the college of education and related disciplines
 33 to work collaboratively with the accredited public schools in this state, and
 34 such faculty involvement shall be included as part of the annual review of
 35 the faculty as required by subsection (b) of this section.

36 (f) A state-supported institution of higher education may require an

1 immediate for cause review of a faculty member, including a faculty member
 2 with tenure, at any time if the state-supported institution of higher
 3 education determines that the faculty member has:

4 (1) Exhibited professional incompetence in the performance of
 5 his or her mandatory job duties;

6 (2) Continually or repeatedly failed to perform duties or meet
 7 professional responsibilities of the faculty member's position;

8 (3) Failed to successfully complete any post-tenure review
 9 professional development program;

10 (4) Violated laws or policies of a university system or a state-
 11 supported institution of higher education that are substantially related to
 12 the performance of the faculty member's duties;

13 (5) Been convicted of a crime affecting the fitness of the
 14 faculty member to engage in teaching, research, service, outreach, or
 15 administration;

16 (6) Engaged in unprofessional conduct that adversely affects the
 17 state-supported institution of higher education or the faculty member's
 18 performance of duties or meeting of responsibilities;

19 (7) Falsified the faculty member's academic credentials; or

20 (8) Met any other for cause justification as defined in the
 21 state-supported institution of higher education's review policy.

22 (g) The division may promulgate rules to implement this section.

23
 24 SECTION 61. Arkansas Code § 6-80-105 is amended to read as follows:

25 6-80-105. Student financial aid – Scholarship stacking – Definitions.

26 (a) As used in this section:

27 (1) "Cost of attendance" means the ~~recognized cost of attendance~~
 28 ~~of an institution of higher education calculated under rules established by~~
 29 ~~the Division of Higher Education~~ amount reported as the cost of attendance by
 30 an institution of higher education to the Division of Higher Education
 31 through the Integrated Postsecondary Education Data System;

32 (2) "Federal aid" means scholarships or grants awarded to a
 33 student as a result of the Free Application for Federal Student Aid,
 34 excluding the Pell Grant;

35 (3) "Other aid" means a scholarship, grant, waiver, or
 36 reimbursement for tuition, fees, books, or other cost of attendance, other

1 than federal aid or state aid, provided to a student from a postsecondary
2 institution or a private source;

3 (4) "State aid" means scholarships or grants awarded to a
4 student from public funds, including without limitation the Arkansas Academic
5 Challenge Scholarship under § 6-85-201 et seq., the ~~Division of Higher~~
6 ~~Education~~ division's scholarship and grant programs, state general revenues,
7 tuition, and local tax revenue; and

8 (5)(A) "Student aid package" means federal aid, state aid, and
9 other aid a student receives for postsecondary education expenses.

10 (B) "Student aid package" does not include federal aid,
11 state aid, or other aid received by a student who is:

12 (i) An active member of the United States Armed
13 Forces;

14 (ii) An active member of the National Guard;

15 (iii) A member of the reserve components of the
16 armed forces; or

17 (iv) The spouse of a person under subdivision
18 (a)(5)(B)(i), subdivision (a)(5)(B)(ii), or subdivision (a)(5)(B)(iii) of
19 this section.

20 (b)(1) The federal cost of attendance method shall be used for all
21 students receiving state aid, regardless of whether a student is receiving
22 federal aid.

23 (2)(A) Costs that would not be included in the federal cost of
24 attendance shall not be included in the package for a student who receives
25 state aid.

26 (B) Exceptions to the normal federal cost of attendance
27 allowances as set forth in federal regulations may be included in the cost of
28 attendance calculations.

29 (C) Institutional work study is not included in cost of
30 attendance unless the institutional work study is need-based.

31 (3) A postsecondary institution shall not award state aid in a
32 student aid package in excess of the cost of attendance at the institution
33 where the student enrolls.

34 ~~(2) For the purpose of stacking scholarships in a student's~~
35 ~~student aid package, the Arkansas Academic Challenge Scholarship under § 6-~~
36 ~~85-201 et seq. shall be reduced or returned first.~~

1 (4) A two-year private postsecondary institution of higher
2 education shall not award state aid in a student aid package at a cost
3 greater than any two-year state-supported institution of higher education.

4 (5) A four-year private postsecondary institution of higher
5 education shall not award state aid in a student aid package at a cost
6 greater than any four-year state-supported institution of higher education.

7 (6) An institution of higher education shall award aid in the
8 following order:

9 (A) The Arkansas Academic Challenge Scholarship;

10 (B) Any other state scholarship program, excluding the
11 Arkansas Future Grant Program, Arkansas Teacher Academy Scholarship Program,
12 and Arkansas National Guard Tuition Waiver Program;

13 (C) The Arkansas Future Grant Program, Arkansas Teacher
14 Academy Scholarship Program, or Arkansas National Guard Tuition Waiver
15 Program; and

16 (D) Institutional aid.

17 (c) A postsecondary institution shall report to the division, no later
18 than September 30 of each year, the total amount of federal aid, state aid,
19 and other aid a student receives if the student receives an award from a
20 division scholarship or grant program, including the Arkansas Academic
21 Challenge Scholarship under § 6-85-201 et seq.

22 (d)(1) When a student receives a student aid package that includes
23 state aid and the student aid package exceeds the cost of attendance, the
24 postsecondary institution shall repay state aid in the amount exceeding the
25 cost of attendance, ~~starting with state aid received under the Arkansas~~
26 ~~Academic Challenge Scholarship under § 6-85-201 et seq~~ utilizing the stacking
27 order under subdivision (b)(6) of this section.

28 (2) The division shall credit the excess state aid funds to the
29 appropriate division fund or trust account.

30 (e) A student awarded state aid shall disclose all state aid, federal
31 aid, and other aid to:

32 (1) The division if the division awards state aid to the
33 student; and

34 (2) A postsecondary institution that awards state aid or other
35 aid to the student.

36 (f) Except as otherwise provided by federal law, federal aid will be

1 applied before state aid governed by this section.

2
3 SECTION 62. Arkansas Code Title 6, Chapter 80, Subchapter 1, is
4 amended to add an additional section to read as follows:

5 6-80-110. Utilization of the Classic Learning Test.

6 (a) A state-supported institution of higher education shall accept the
7 Classic Learning Test (CLT) examination to the same extent the state-
8 supported institution of higher education accepts the ACT test and the SAT
9 test.

10 (b)(1) Subsection (a) of this section shall apply to admissions
11 criteria and eligibility criteria for state-funded financial assistance
12 programs.

13 (2) Subsection (a) of this section does not apply to
14 institutional assistance programs.

15
16 SECTION 63. Arkansas Code Title 6, Chapter 80, is amended to add an
17 additional subchapter to read as follows:

18 Subchapter 2 – Residency Classification for Scholarships at State-Supported
19 Institutions of Higher Education

20
21 6-80-201. Title.

22 This subchapter shall be known and may be cited as the “Residency
23 Classification for Scholarships at State-Supported Institutions of Higher
24 Education”.

25
26 6-80-202. Residency classification for tuition, fees, and scholarship
27 purposes.

28 (a)(1) In making decisions about the residency classification or
29 reclassification of a student for scholarship purposes, unless otherwise
30 specified by statute, a student shall be classified as an in-state resident
31 for scholarship purposes only if the student:

32 (A) Will graduate or has graduated from an Arkansas public
33 school, private school, or home school; or

34 (B) Established legal residency in Arkansas by being
35 physically present in Arkansas for at least six (6) continuous months with
36 the intent to remain.

1 (2) Mere physical presence in Arkansas is not sufficient to
2 establish residency or demonstrate future intent under subdivision (a)(1)(B)
3 of this section.

4 (3) A student who claims in-state residency for purposes of
5 scholarship eligibility but receives Free Application for Federal Student Aid
6 (FAFSA) verification that he or she is not an in-state resident shall have
7 his or her scholarship amount reduced or rescinded to reflect the change in
8 residency status.

9 (b) A member of the United States Armed Forces who is stationed in
10 Arkansas under military orders, along with his or her dependents, is entitled
11 to classification as an in-state resident.

12
13 6-80-203. Duties and responsibilities of students.

14 (a)(1) It is the responsibility of each student, at the time of
15 registration, to seek the proper residency classification for tuition, fees,
16 and scholarship purposes.

17 (2) A participating state-supported institution of higher
18 education shall have a process for a student to appeal a residency
19 classification.

20 (b)(1) A student who knowingly gives false information to establish
21 residency shall be subject to dismissal by the state-supported institution of
22 higher education.

23 (2) An initial classification as an out-of-state student shall
24 not limit the right of a student to be reclassified later as a resident of
25 Arkansas for tuition, fee, and scholarship purposes provided that the student
26 can establish proof of legal residence in Arkansas.

27
28 SECTION 64. Arkansas Code § 6-81-604(6), concerning the grade point
29 average required for grant recipients under the Teacher Opportunity Program,
30 is amended to read as follows:

31 (6) Grant recipients shall maintain a cumulative grade point
32 average in their college work of no less than 2.5 on a 4.0 scale or maintain
33 an appropriate equivalent as determined by the Division of Higher Education.
34

35 SECTION 65. Arkansas Code § 6-81-605 is amended to read as follows:

36 6-81-605. Grants – Priority.

1 (a)(1) The first priority for the award of funds under the Teacher
 2 Opportunity Program is the award ~~of reimbursements~~ for additional education
 3 in:

- 4 (A) Science, technology, engineering, or mathematics
 5 fields;
 6 (B) Computer science;
 7 (C) Literacy or reading;
 8 (D) Prekindergarten education; or
 9 (E) Special education.

10 (2) If funds are available after all awards are made under
 11 subdivision (a)(1) of this section, then additional ~~reimbursements~~ awards may
 12 be made in accordance with the following:

13 (A)(i) A teacher may receive an award if seeking dual
 14 licensure in an additional subject area different from the subject area in
 15 which the teacher is currently teaching, if he or she does not have a current
 16 license for the additional subject area.

17 (ii) The amount of the award and the number of
 18 recipients selected by the Division of Higher Education is contingent on the
 19 appropriation and availability of funding for that purpose;

20 (B)(i) A student may receive reimbursements up to but not
 21 in excess of the cost of his or her student fees, books, and instructional
 22 supplies at the public institution of higher education in this state
 23 assessing the highest rate of student fees an award that shall not exceed the
 24 cost of tuition and fees required to complete six (6) semester credit hours
 25 per academic year.

26 (ii) For purposes of award disbursement under
 27 subdivision (a)(2)(B)(i) of this section, an academic year begins in the fall
 28 semester and runs through the summer semester;

29 (B) ~~The reimbursements made to one (1) student within one~~
 30 ~~(1) fiscal year may not exceed the costs associated with six (6) semester~~
 31 ~~credit hours or the equivalent of six (6) semester credit hours; and~~

32 (C) All other requirements established by the Division of
 33 Higher Education are met.

34 (b)(1) The Division of Higher Education shall determine priorities for
 35 ~~awarding reimbursements~~ awards if there are more applicants than funds
 36 available.

1 (2) Priorities shall be determined in coordination with the
2 Division of Elementary and Secondary Education and shall be based on the
3 needs of the state.
4

5 SECTION 66. Arkansas Code § 6-81-607(3), concerning the definition of
6 "student" under the Teacher Opportunity Program, is amended to add an
7 additional subdivision to read as follows:

8 (F) Any other subject matter as determined by the
9 division.
10

11 SECTION 67. Arkansas Code §§ 6-81-608 and 6-81-609 are repealed.

12 ~~6-81-608. Dual Licensure Incentive Program.~~

13 ~~(a) There is created the Dual Licensure Incentive Program to encourage~~
14 ~~classroom teachers currently employed by school districts in the state to~~
15 ~~return to college to obtain licensure in one (1) or more additional subject~~
16 ~~areas.~~

17 ~~(b) The program shall be administered by the Division of Higher~~
18 ~~Education.~~

19 ~~(c)(1) A classroom teacher returning to college as a student may~~
20 ~~receive a reimbursement not to exceed the cost of student fees, books, and~~
21 ~~instructional supplies.~~

22 ~~(2) The student fee reimbursement amount shall be based on the~~
23 ~~student fees of the state supported institution of higher education that~~
24 ~~assesses the highest rate of student fees in this state.~~

25 ~~(d) The reimbursement made to a classroom teacher returning to college~~
26 ~~as a student in one (1) fiscal year may not exceed the cost associated with~~
27 ~~six (6) semester credit hours or the equivalent of six (6) semester credit~~
28 ~~hours.~~

29
30 ~~6-81-609. Dual licensure funding.~~

31 ~~(a)(1)(A) A classroom teacher employed by a school district in the~~
32 ~~state may receive a reimbursement from the Dual Licensure Incentive Program~~
33 ~~if the classroom teacher returns to an approved institution of higher~~
34 ~~education to obtain licensure in an additional subject area:~~

35 ~~(i) Declared to be a shortage area by the Division~~
36 ~~of Elementary and Secondary Education;~~

1 ~~(ii) That the classroom teacher is currently teaching~~
 2 ~~but for which he or she does not have a licensure; or~~

3 ~~(iii) And grade level in which the school district~~
 4 ~~has requested a waiver under § 6-17-309.~~

5 ~~(B)(i) A reimbursement from the Dual Licensure Incentive~~
 6 ~~Program shall include funding for the cost of tuition, books, and fees not to~~
 7 ~~exceed three thousand dollars (\$3,000) each college year.~~

8 ~~(ii) The amount of the reimbursement and the number~~
 9 ~~of reimbursement recipients selected by the Division of Higher Education is~~
 10 ~~contingent on the appropriation and availability of funding for such a~~
 11 ~~purpose.~~

12 ~~(2) To be eligible for a reimbursement under the Dual Licensure~~
 13 ~~Incentive Program, the person shall be:~~

14 ~~(A) Employed as a classroom teacher for no less than three~~
 15 ~~(3) years of teaching immediately preceding the application; and~~

16 ~~(B) Accepted for enrollment in a classroom teacher~~
 17 ~~education program that will lead to a licensure to teach in a subject area~~
 18 ~~that:~~

19 ~~(i) Is different from the classroom teacher's~~
 20 ~~current area of licensure; and~~

21 ~~(ii) Either:~~

22 ~~(a) Has been identified as a subject area with~~
 23 ~~a shortage of classroom teachers as declared by the Division of Elementary~~
 24 ~~and Secondary Education; or~~

25 ~~(b) Is in the grade level and subject matter~~
 26 ~~area for which the school district has requested a waiver under § 6-17-309.~~

27 ~~(b)(1) The Arkansas Higher Education Coordinating Board shall~~
 28 ~~promulgate rules as necessary to implement the Dual Licensure Incentive~~
 29 ~~Program.~~

30 ~~(2) The number of classroom teacher participants each year shall~~
 31 ~~be determined by the amount of funding available for the Dual Licensure~~
 32 ~~Incentive Program and the limitations set under this section.~~

33
 34 SECTION 68. Arkansas Code § 6-82-108(e), concerning funding of the
 35 Academic Support Scholarship with certain remaining funds, is amended to read
 36 as follows:

1 (e) A scholarship under this section shall be funded with any funds
 2 remaining after the division allocates sufficient funding to award Arkansas
 3 Academic Challenge Scholarships under § 6-85-201 et seq., and Arkansas
 4 Workforce Challenge Scholarships under § 6-85-301 et seq., ~~and Arkansas~~
 5 ~~Concurrent Challenge Scholarships under § 6-85-401 et seq.~~

6
 7 SECTION 69. Arkansas Code § 6-82-302 is amended to read as follows:
 8 6-82-302. Definitions.

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

10 (1) "Academic ability" means the intellectual standing of a
 11 student. In determining superior academic ability, the Division of Higher
 12 Education shall examine the student's high school records, competitive
 13 examination scores, and demonstrated leadership capabilities;

14 (2) "Approved institution" means a ~~public~~ state-supported
 15 institution of higher education or private college or university:

16 (A) Which is dedicated to educational purposes, located in
 17 Arkansas, or located out of state and educating Arkansas residents in
 18 ~~dentistry, optometry, veterinary medicine, podiatry, chiropractic, or~~
 19 ~~osteopathy under agreement with the Southern Regional Education Board,~~
 20 ~~accredited by an accrediting agency certified and recognized by the United~~
 21 ~~States Department of Education or the Division of Agency Evaluation and~~
 22 ~~Institutional Accreditation, or a school giving satisfactory assurance that~~
 23 ~~it has the potential for accreditation and is making progress which, if~~
 24 ~~continued, will result in its achieving accreditation~~ professional programs
 25 not offered in the state under the Arkansas Health Education Grant Program;

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

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

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

32 (4) "Eligible student" means a resident of the State of Arkansas
 33 as defined by the Division of Higher Education who:

34 (A) Is eligible for admission as a full-time student;

35 (B) Declares an intent to matriculate in an approved
 36 institution in Arkansas; and

1 (C) Graduates from†

2 ~~(i) A a high school in this state, for Arkansas~~
3 ~~Governor's Scholars; or~~

4 ~~(ii) A high school, for Arkansas Governor's~~
5 ~~Distinguished Scholars;~~

6 (5) "Exemplary academic achievement" means a student that
7 achieves exemplary performance, as determined by the division, based on one
8 (1) or more of the following:

9 (A) SAT, CLT, or ACT;

10 (B) High school grade point average;

11 (C) High school rank upon graduation;

12 (D) Associate degree upon graduation from high school; and

13 (E) Being a recipient of a diploma of distinction;

14 ~~(5)(A)(6)(A)~~ (6)(A) "Extraordinary academic ability" means:

15 (i) Achievement of a superscore, as defined by § 6-
16 85-204, of 32 or above on the ACT or a score of 1410 or above on the SAT; and

17 (ii) ~~Either:~~

18 ~~(a) For students graduating from high school~~
19 ~~after December 31, 2001, A student graduating from high school with an~~
20 ~~achievement of a high school grade point average of 3.5 or above on a 4.0~~
21 ~~scale; or~~

22 ~~(b) Selection as a finalist in either the~~
23 ~~National Merit Scholarship competition, the National Hispanic Recognition~~
24 ~~Program, or the National Achievement Scholarship competition conducted by the~~
25 ~~National Merit Scholarship Corporation.~~

26 (B) ~~For students graduating after December 31, 2001, the~~
27 ~~The~~ ACT superscores and SAT scores shall be earned by ~~December 31~~ February 28
28 prior to the application deadline in order for the scores to be considered by
29 the ~~Division of Higher Education~~ division for a scholarship award;

30 ~~(6)(7)~~ (7) "Full-time student" means a resident of Arkansas who is
31 in attendance at an approved ~~private or public~~ institution and who is
32 enrolled in at least twelve (12) credit hours the first semester and fifteen
33 (15) hours thereafter, or other reasonable academic equivalent as defined by
34 the ~~Division of Higher Education~~ division;

35 ~~(7)(8)~~ (8) "Scholarship" means an award to an eligible student for
36 matriculation in an approved institution in the State of Arkansas; and

1 ~~(8)~~(9) “Undergraduate student” means an individual who is
 2 enrolled in a postsecondary educational program which leads to or is directly
 3 creditable toward the individual’s first baccalaureate degree.
 4

5 SECTION 70. Arkansas Code § 6-82-306, concerning eligibility under the
 6 Arkansas Governor’s Scholars Program, is amended to add additional
 7 subsections to read as follows:

8 (e) An Arkansas Governor’s Scholar shall be chosen based on a student
 9 who:

10 (1) Graduates with a diploma of distinction based on criteria
 11 determined by the State Board of Education; or

12 (2) Earns an associate degree upon completing the summer term
 13 immediately following graduation from high school.

14 (f) An Arkansas Governor’s Scholar shall be chosen based on a student
 15 exhibiting the highest exemplary academic achievement if:

16 (1) There are no recipients of the Arkansas Governor’s
 17 Distinguished Scholarship; or

18 (2) An Arkansas Governor’s Scholar under subsection (e) of this
 19 section is not chosen in any given Arkansas county.
 20

21 SECTION 71. Arkansas Code § 6-82-310, concerning the use of funds
 22 under the Arkansas Governor’s Scholars Program, is amended to add an
 23 additional subsection to read as follows:

24 (c) In the event the number of students who qualify for a scholarship
 25 under this subchapter during an academic year exceeds the amount of funds
 26 appropriated to the Higher Education Grants Fund Account for purposes of
 27 funding students who qualify for a scholarship under this subchapter during
 28 the given academic year, the excess awards that qualify for distribution
 29 under this subchapter shall be funded with any net proceeds from the state
 30 lottery remaining after the Division of Higher Education allocates sufficient
 31 funding to award the following scholarships at levels equivalent to the
 32 awards made in the previous academic year:

33 (1) Arkansas Academic Challenge Scholarship, § 6-85-201 et seq.; and

34 (2) Arkansas Workforce Challenge Scholarship, § 6-85-301 et seq.
 35

36 SECTION 72. Arkansas Code Title 6, Chapter 82, Subchapter 5, is

1 repealed.

2 ~~Subchapter 5—Children of Law Enforcement Officers, Etc.~~

3

4 ~~6-82-501. Definitions.~~

5 ~~As used in this subchapter:~~

6 ~~(1) “Child” or “children” means any natural child, adopted~~
7 ~~child, or stepchild who is eligible under § 6-82-504;~~

8 ~~(2) “Division of Community Correction employee” means any~~
9 ~~employee of the Division of Community Correction who suffers fatal injuries~~
10 ~~or wounds or becomes permanently and totally disabled as a result of injuries~~
11 ~~or wounds that occurred through contact with parolees, probationers, or~~
12 ~~center residents;~~

13 ~~(3)(A) “Emergency medical services personnel” means an~~
14 ~~individual licensed by the Department of Health at any level established by~~
15 ~~the rules adopted by the State Board of Health under the Emergency Medical~~
16 ~~Services Act, § 20-13-201 et seq., and authorized to perform those services~~
17 ~~set forth in the rules.~~

18 ~~(B) This shall include without limitation an emergency~~
19 ~~medical technician, advanced emergency medical technician, paramedic,~~
20 ~~emergency medical services instructor, or emergency medical services~~
21 ~~instructor trainer;~~

22 ~~(4) “Firefighter” means any firefighter employed on a full-time~~
23 ~~or volunteer duty status while actually engaged in the performance of his or~~
24 ~~her duties;~~

25 ~~(5) “Law enforcement officer” means a:~~

26 ~~(A) Constable, which includes all duly elected constables~~
27 ~~of any beat of any county within the state while actually engaged in the~~
28 ~~performance of their duties concerning the criminal laws of the county and~~
29 ~~state;~~

30 ~~(B) Game warden, which includes all appointed game wardens~~
31 ~~employed by the State of Arkansas on a full-time duty status while actually~~
32 ~~engaged in their duties concerning the game laws of this state;~~

33 ~~(C) Municipal and college or university police officer,~~
34 ~~which includes all law enforcement officers of any municipality, college, or~~
35 ~~university who are regular duty personnel on full-time status and does not~~
36 ~~include auxiliary officers or those serving on a temporary or part-time~~

1 status;

2 ~~(D) Sheriff or deputy sheriff, which includes all law~~
 3 ~~enforcement officers of full time status on a regular basis serving the~~
 4 ~~sheriff's department of any county but does not include deputy sheriffs who~~
 5 ~~are engaged in administrative or civil duty or deputy sheriffs serving in a~~
 6 ~~temporary capacity or part time basis; and~~

7 ~~(E) State highway patrolman, which includes any law~~
 8 ~~enforcement officer, regardless of department or bureau, of the Division of~~
 9 ~~Arkansas State Police;~~

10 ~~(6) "State correction employee" means any employee of the~~
 11 ~~Division of Correction or the Arkansas Correctional School District who~~
 12 ~~becomes subject to injury through contact with inmates or parolees of the~~
 13 ~~Division of Correction;~~

14 ~~(7) "State forestry employee" means an employee of the Arkansas~~
 15 ~~Forestry Commission who is actively engaged in his or her duties of fighting~~
 16 ~~forest fires;~~

17 ~~(8) "State highway employee" means any employee of the Arkansas~~
 18 ~~Department of Transportation who actively engages in highway maintenance,~~
 19 ~~construction, or traffic operations on the roadways and bridges of the state~~
 20 ~~highway system while the roadways and bridges are open for use by the~~
 21 ~~traveling public;~~

22 ~~(9) "State parks employee" means any employee of the Department~~
 23 ~~of Parks, Heritage, and Tourism who is a commissioned law enforcement officer~~
 24 ~~or emergency response employee while actively engaged in the performance of~~
 25 ~~his or her duties; and~~

26 ~~(10) "Teacher" means any person employed by a public school for~~
 27 ~~the purpose of giving instruction and whose employment requires state~~
 28 ~~certification.~~

29

30 ~~6-82-502. Rules.~~

31 ~~The Arkansas Higher Education Coordinating Board is directed and~~
 32 ~~empowered to promulgate rules as necessary to administer benefits awarded~~
 33 ~~under this subchapter by the Arkansas State Claims Commission.~~

34

35 ~~6-82-503. Entitlement.~~

36 ~~(a) If any Arkansas law enforcement officer, full time or volunteer~~

1 ~~firefighter, emergency medical technician, state highway employee, state~~
 2 ~~correction employee, Division of Community Correction employee, state parks~~
 3 ~~employee, teacher, or state forestry employee suffers fatal injuries or~~
 4 ~~wounds or becomes permanently and totally disabled as a result of injuries or~~
 5 ~~wounds that occurred in the performance of a hazardous duty within the scope~~
 6 ~~of his or her employment or that occurred en route to or returning from a~~
 7 ~~location where a hazardous situation existed, his or her children and spouse~~
 8 ~~shall be entitled to a total of eight (8) semesters, or the equivalent~~
 9 ~~thereof, of scholarship awards without cost, exclusive of books, food, school~~
 10 ~~supplies, materials, and dues or fees for extracurricular activities, at any~~
 11 ~~state-supported college, university, or technical institute of his or her~~
 12 ~~choice within this state. Up to four (4) semesters, or the equivalent~~
 13 ~~thereof, may be taken at a technical institute.~~

14 ~~(b) Scholarship benefits shall not accrue under this subchapter to any~~
 15 ~~person if the wounds or injuries suffered by any law enforcement officer,~~
 16 ~~firefighter, emergency medical technician, state highway employee, state~~
 17 ~~correction employee, Division of Community Correction employee, state parks~~
 18 ~~employee, teacher, or state forestry employee are self-inflicted or if the~~
 19 ~~death is self-induced.~~

20 ~~(c) Unless § 6-82-504(e) is applicable, the Arkansas State Claims~~
 21 ~~Commission shall award any scholarship benefit provided by this subchapter at~~
 22 ~~the same time that any death benefit or total and permanent disability~~
 23 ~~benefit is awarded by the commission under the provisions of § 21-5-701 et~~
 24 ~~seq.~~

25
 26 ~~6-82-504. Awards to children.~~

27 ~~(a) In order for a natural child to be eligible to receive a~~
 28 ~~scholarship benefit:~~

29 ~~(1) The child must have been born prior to the date of the death~~
 30 ~~or total and permanent disability of the law enforcement officer,~~
 31 ~~firefighter, emergency medical technician, state highway employee, state~~
 32 ~~correction employee, Division of Community Correction employee, state parks~~
 33 ~~employee, teacher, or state forestry employee; or~~

34 ~~(2) The law enforcement officer, firefighter, emergency medical~~
 35 ~~technician, state highway employee, state correction employee, Division of~~
 36 ~~Community Correction employee, state parks employee, teacher, or state~~

1 ~~forestry employee or the spouse of the law enforcement officer, firefighter,~~
2 ~~emergency medical technician, state highway employee, state correction~~
3 ~~employee, Division of Community Correction employee, state parks employee,~~
4 ~~teacher, or state forestry employee must have been pregnant with the child at~~
5 ~~the time of the death or total and permanent disability of the law~~
6 ~~enforcement officer, firefighter, emergency medical technician, state highway~~
7 ~~employee, state correction employee, Division of Community Correction~~
8 ~~employee, state parks employee, teacher, or state forestry employee.~~

9 ~~(b) In order for an adopted child to be eligible to receive a~~
10 ~~scholarship benefit:~~

11 ~~(1) The child must have been adopted prior to the date of the~~
12 ~~death or total and permanent disability of the law enforcement officer,~~
13 ~~firefighter, emergency medical technician, state highway employee, state~~
14 ~~correction employee, Division of Community Correction employee, state parks~~
15 ~~employee, teacher, or state forestry employee; or~~

16 ~~(2) The child's adoption process must have begun prior to the~~
17 ~~date of the death or total and permanent disability of the law enforcement~~
18 ~~officer, firefighter, emergency medical technician, state highway employee,~~
19 ~~state correction employee, Division of Community Correction employee, state~~
20 ~~parks employee, teacher, or state forestry employee.~~

21 ~~(c) In order for a stepchild under nineteen (19) years of age to be~~
22 ~~eligible to receive a scholarship benefit:~~

23 ~~(1) The stepchild must have been listed as a dependent on the~~
24 ~~federal and state income tax returns of the law enforcement officer,~~
25 ~~firefighter, emergency medical technician, state highway employee, state~~
26 ~~correction employee, Division of Community Correction employee, state parks~~
27 ~~employee, teacher, or state forestry employee in each of the five (5) income~~
28 ~~years immediately prior to the date of the death or total and permanent~~
29 ~~disability of the law enforcement officer, firefighter, emergency medical~~
30 ~~technician, state highway employee, state correction employee, Division of~~
31 ~~Community Correction employee, state parks employee, teacher, or state~~
32 ~~forestry employee; and~~

33 ~~(2) The stepchild must have received more than one half (½) of~~
34 ~~his or her financial support from the law enforcement officer, firefighter,~~
35 ~~emergency medical technician, state highway employee, state correction~~
36 ~~employee, Division of Community Correction employee, state parks employee,~~

1 ~~teacher, or state forestry employee in each of the five (5) income years~~
2 ~~immediately prior to the date of the death or total and permanent disability~~
3 ~~of the law enforcement officer, firefighter, emergency medical technician,~~
4 ~~state highway employee, state correction employee, Division of Community~~
5 ~~Correction employee, state parks employee, teacher, or state forestry~~
6 ~~employee.~~

7 ~~(d) In order for a stepchild nineteen (19) years of age or older to be~~
8 ~~eligible to receive a scholarship benefit:~~

9 ~~(1) The stepchild must have been listed as a dependent on the~~
10 ~~federal and state income tax returns of the law enforcement officer,~~
11 ~~firefighter, emergency medical technician, state highway employee, state~~
12 ~~correction employee, Division of Community Correction employee, state parks~~
13 ~~employee, teacher, or state forestry employee in each of five (5) income~~
14 ~~years during the eight (8) years immediately prior to the date of the death~~
15 ~~or total and permanent disability of the law enforcement officer,~~
16 ~~firefighter, emergency medical technician, state highway employee, state~~
17 ~~correction employee, Division of Community Correction employee, teacher,~~
18 ~~state parks employee, or state forestry employee; and~~

19 ~~(2) The stepchild must have received more than one-half (½) of~~
20 ~~his or her financial support from the law enforcement officer, firefighter,~~
21 ~~emergency medical technician, state highway employee, state correction~~
22 ~~employee, Division of Community Correction employee, state parks employee,~~
23 ~~teacher, or state forestry employee in each of five (5) income years during~~
24 ~~the eight (8) years immediately prior to the date of the death or total and~~
25 ~~permanent disability of the law enforcement officer, firefighter, emergency~~
26 ~~medical technician, state highway employee, state correction employee,~~
27 ~~Division of Community Correction employee, state parks employee, teacher, or~~
28 ~~state forestry employee.~~

29 ~~(e) If the covered public employee or his or her heirs did not file~~
30 ~~for the available death or disability benefit, but were otherwise eligible to~~
31 ~~receive, within the time frame provided in § 21-5-703, then the covered~~
32 ~~public employee's child or children who would have otherwise been eligible to~~
33 ~~receive the provided educational scholarship benefit under this section may~~
34 ~~individually file prior to their twenty first birthdays a claim to receive~~
35 ~~the provided educational scholarship benefit.~~

36

1 ~~6-82-505. Limits for scholarship.~~

2 ~~(a) No child will be entitled to receive benefits under this~~
 3 ~~subchapter during any semester or quarter when the child has reached twenty-~~
 4 ~~three (23) years of age on or before the first day of the semester or~~
 5 ~~quarter.~~

6 ~~(b) No spouse will be eligible for the education benefit if he or she~~
 7 ~~remarries. The benefit will cease at the end of the semester at which the~~
 8 ~~spouse is currently enrolled at the time of the marriage.~~

9
 10 ~~6-82-506. Written application for benefits.~~

11 ~~Any person claiming benefits awarded by the Arkansas State Claims~~
 12 ~~Commission under the provisions of this subchapter shall make written~~
 13 ~~application with the Division of Higher Education on forms provided by the~~
 14 ~~division.~~

15
 16 ~~6-82-507. Renewal of scholarship.~~

17 ~~To retain eligibility for a scholarship benefit under this subchapter,~~
 18 ~~a recipient shall:~~

19 ~~(1) Maintain a minimum of a 2.0 grade point average on a 4.0~~
 20 ~~scholastic grading scale; and~~

21 ~~(2) Meet any other continuing eligibility criteria established~~
 22 ~~by the Division of Higher Education.~~

23
 24 SECTION 73. Arkansas Code § 6-82-601(i)(3), concerning funding by
 25 certain scholarships related to tuition waivers for dependents of certain
 26 veterans, is repealed.

27 ~~(3) Arkansas Concurrent Challenge Scholarship, § 6-85-401 et~~
 28 ~~seq.~~

29
 30 SECTION 74. Arkansas Code § 6-82-1802(c), concerning continuing
 31 eligibility under the Arkansas Future Grant Program, is amended to read as
 32 follows:

33 (c) A student may continue to be eligible until the student has:

34 (1) Received the grant for ~~five (5) academic semesters~~ a maximum
 35 of seventy-five (75) course credit hours in which the student is enrolled;

36 (2) Obtained an associate degree; or

1 (3) Failed to maintain satisfactory academic progress, as
 2 determined by the approved institution of higher education in which the
 3 student is enrolled; ~~or~~

4 ~~(4) Failed to complete the mentoring or community service~~
 5 ~~requirements under § 6-82-1804.~~

6
 7 SECTION 75. Arkansas Code § 6-82-1803(a)(1), concerning distribution
 8 of the Arkansas Future Grant Program, is amended to read as follows:

9 (a)(1) An Arkansas Future Grant shall be ~~in:~~

10 (A) Distributed in accordance with the Division of Higher
 11 Education's stacking policy under § 6-80-105; and

12 (B) In an amount equal to the tuition, fees, and other
 13 charges incurred by a student who meets the requirements under § 6-82-1802-~~to~~
 14 ~~attend an approved institution of higher education less the amount the~~
 15 ~~student receives in:~~

16 ~~(A) State supported student financial assistance;~~

17 ~~(B) Federal student financial assistance; and~~

18 ~~(C) Private scholarships.~~

19
 20 SECTION 76. Arkansas Code § 6-82-1804(a), concerning the written
 21 agreement requirements for a recipient of an Arkansas Future Grant, is
 22 amended to read as follows:

23 (a)(1) A student who receives an Arkansas Future Grant shall enter
 24 into a written agreement with the Division of Higher Education to~~+~~

25 ~~(1)(A) Receive monthly mentoring from a mentor from an~~
 26 ~~organization determined by the Division of Higher Education.~~

27 ~~(B) A mentor under subdivision (a)(1)(A) of this section~~
 28 ~~shall:~~

29 ~~(i) Receive annual mentoring training:~~

30 ~~(a) Developed by the Division of Higher~~
 31 ~~Education; and~~

32 ~~(b) Provided by a local volunteer group~~
 33 ~~approved by the Division of Higher Education; and~~

34 ~~(ii) Certify to the Division of Higher Education~~
 35 ~~that at least one (1) time each semester the mentor has provided mentoring~~
 36 ~~services by telephone, email, or in person to each student he or she is~~

1 mentoring;

2 ~~(2)(A) Complete at least ten (10) hours of community service~~
3 ~~each semester the student receives a grant.~~

4 ~~(B)(i) A student may select a community service project~~
5 ~~that meets requirements developed by the Division of Higher Education.~~

6 ~~(ii) An approved institution of higher education may~~
7 ~~provide community services opportunities designed to benefit the approved~~
8 ~~institution of higher education community or the broader local community.~~

9 ~~(C) A student shall certify his or her community service~~
10 ~~to the approved institution of higher education by the last regular day of~~
11 ~~the semester the student received the grant; and~~

12 ~~(3)(A) Reside reside in this state for ~~three (3) consecutive~~~~
13 ~~years six (6) months and be employed beginning within six (6) months after~~
14 ~~receiving an associate degree or a certification.~~

15 ~~(B)(2)~~ The Division of Higher Education may defer the
16 requirement under ~~subdivision (a)(3)(A)~~ subdivision (a)(1) of this section
17 if:

18 ~~(i)(A)~~ The Division of Higher Education, in
19 consultation with the Division of Workforce Services, determines that there
20 was no employment position available that would reasonably enable the student
21 to meet this requirement; or

22 ~~(ii)(B)~~ Special circumstances as determined by the
23 Division of Higher Education exist.

24 ~~(C)(3)~~ After the period of deferral, the student shall
25 begin or resume working in this state or become subject to repayment under
26 subsection (b) of this section.

27

28 SECTION 77. Arkansas Code § 6-82-2205(b), concerning the requirements
29 for an eligible postsecondary institution under the Arkansas Teacher Academy
30 Scholarship Program, is amended to read as follows:

31 (b) An eligible postsecondary institution may+

32 ~~(1) Develop develop a portfolio of teacher preparation programs~~
33 ~~to offer as part of its Arkansas Teacher Academy;~~

34 ~~(2)(A) Give priority to students in grades eleven (11) and~~
35 ~~twelve (12).~~

36 ~~(B) However, an eligible postsecondary institution shall~~

1 ~~not exclude students in grades nine (9) and ten (10) from its Arkansas~~
 2 ~~Teacher Academy; and~~

3 ~~(3)(A) Use scholarship funds that exceed the cost of tuition and~~
 4 ~~fees at the eligible postsecondary institution to support its Arkansas~~
 5 ~~Teacher Academy costs.~~

6 ~~(B) However, if a scholarship awarded to an academy~~
 7 ~~attendee under this subchapter does not cover the eligible postsecondary~~
 8 ~~institution's tuition and fees after an academy attendee receives all other~~
 9 ~~financial gifts, financial aid, and grants, the eligible postsecondary~~
 10 ~~institution shall not charge an academy attendee awarded a scholarship under~~
 11 ~~this subchapter the remaining difference.~~

12
 13 SECTION 78. Arkansas Code § 6-82-2206(a), concerning scholarships
 14 under the Arkansas Teacher Academy Scholarship Program, is amended to read as
 15 follows:

16 (a)(1) ~~An~~ Effective beginning the 2025-2026 academic year, an eligible
 17 postsecondary institution shall provide to each academy attendee who is
 18 accepted and enrolled in its Arkansas Teacher Academy program an annual
 19 scholarship, not to exceed the maximum award as determined by the Division of
 20 Higher Education each eligible semester, up to the actual cost of the:

21 (A) Eligible postsecondary institution's tuition and fees
 22 for a maximum of:

23 (i) Two (2) academic years, ~~or~~ four (4) academic
 24 semesters, not to exceed sixty (60) academic hours, or completion of the
 25 program for an academy attendee who is a graduate student enrolled in the
 26 Arkansas Teacher Academy at the eligible postsecondary institution;

27 (ii) Four (4) academic years, ~~or~~ eight (8) academic
 28 semesters, not to exceed one hundred twenty (120) academic hours, or
 29 completion of the program for an undergraduate student enrolled in the

30 Arkansas Teacher Academy at the eligible postsecondary institution; and

31 (iii)(a) Two (2) academic years, ~~or~~ four (4)
 32 academic semesters, not to exceed sixty (60) academic hours, or completion of
 33 the program for a community college student enrolled in the Arkansas Teacher
 34 Academy at the eligible postsecondary institution.

35 (b) A student who qualifies under subdivision
 36 (a)(1)(A)(iii)(a) of this section shall receive continued eligibility for two

1 (2) additional academic years or four (4) additional academic semesters at a
 2 postsecondary institution that is an undergraduate institution; and

3 (B) Obtainment of a teaching license issued by the State
 4 Board of Education, including without limitation the actual cost of one (1)
 5 exam required for obtaining a teaching license issued by the state board.

6 (2) A scholarship distributed to an academy attendee under
 7 subdivision (a)(1) of this section shall be distributed ~~only after all other~~
 8 ~~financial gifts, financial aid, and grants have been received by an academy~~
 9 ~~attendee enrolled in an Arkansas Teacher Academy at an eligible postsecondary~~
 10 ~~institution in accordance with the division's scholarship stacking policy~~
 11 under § 6-80-105.

12 (3) In compliance with the division's scholarship stacking
 13 policy, a student's total financial aid package, which can include multiple
 14 scholarships, shall not exceed the recognized cost of attendance at a state-
 15 supported institution of higher education.

16
 17 SECTION 79. Arkansas Code Title 6, Chapter 82 is amended to add an
 18 additional subchapter to read as follows:

19 Subchapter 25 – Arkansas Heroes Scholarship Act

20
 21 6-82-2501. Title.

22 This subchapter shall be known and may be cited as the "Arkansas Heroes
 23 Scholarship Act".

24
 25 6-82-2502. Purpose.

26 The purpose of this subchapter is to create a scholarship to be known
 27 as the "Arkansas Heroes Scholarship" that honors the heroic efforts of the
 28 individuals who served as Arkansas's heroes and their families.

29
 30 6-82-2503. Definitions.

31 (a) As used in this subchapter:

32 (1) "Arkansas hero" means:

33 (A) One (1) of the following who suffers a fatal injury or
 34 wound or becomes permanently and totally disabled as a result of injuries or
 35 wounds that occurred in the performance of a hazardous duty within the scope
 36 of his or her employment or that occurred en route to or returning from a

1 location where a hazardous situation existed:

2 (i) A law enforcement officer;

3 (ii) A firefighter;

4 (iii) An emergency medical technician;

5 (iv) A state highway employee;

6 (v) A state correction employee;

7 (vi) A Division of Community Correction employee;

8 (vii) A state parks employee; or

9 (viii) A state forestry employee;

10 (B) A disabled veteran;

11 (C) A prisoner of war;

12 (D) A recipient of a Medal of Honor or Purple Heart;

13 (E) A person declared to be missing in action or killed in
14 action;

15 (F) A person killed on ordnance delivery;

16 (G) A teacher who suffers a fatal injury or wound or
17 becomes permanently and totally disabled as a result of injuries or wounds
18 that occurred due to an act of violence at a public school or open-enrollment
19 charter school in this state;

20 (2) "Child" means a natural child, an adopted child, or a
21 stepchild who is eligible to receive a scholarship under this subchapter;

22 (3) "Disabled veteran" means a person who has been awarded
23 either:

24 (A) United States Armed Forces disability retirement
25 benefits; or

26 (B) Special monthly compensation by the United States
27 Department of Veterans Affairs for service-connected, one hundred percent
28 (100%) total and permanent disability;

29 (4) "Division of Community Correction employee" means an
30 employee of the Division of Community Correction who suffers a fatal injury
31 or wound or becomes permanently and totally disabled because of an injury or
32 wound that occurred through contact with a parolee, probationer, or center
33 resident;

34 (5)(A) "Emergency medical services personnel" means an
35 individual licensed by the Department of Health at any level established by
36 the rules adopted by the State Board of Health under the Emergency Medical

1 Services Act, § 20-13-201 et seq., and authorized to perform the services
2 under the rules.

3 (B) "Emergency medical services personnel" includes
4 without limitation:

5 (i) An emergency medical technician;

6 (ii) An advanced emergency medical technician;

7 (iii) A paramedic;

8 (iv) An emergency medical services instructor; and

9 (v) An emergency medical services instructor
10 trainer;

11 (6) "Firefighter" means a firefighter employed on a full-time or
12 volunteer status while actually engaged in the performance of his or her
13 duties;

14 (7) "Law enforcement officer" means a:

15 (A) Constable, including without limitation all elected
16 constables of any beat of any county within the state while actually engaged
17 in the performance of his or her duties concerning the criminal laws of the
18 county and state;

19 (B) Game warden, including without limitation all
20 appointed game wardens employed by the state on a full-time status while
21 actually engaged in his or her duties concerning the game laws of this state;

22 (C)(i) Municipal and a state-supported institution of
23 higher education police officer, including without limitation all law
24 enforcement officers of any municipality or state-supported institution of
25 higher education who are regular duty personnel on full-time status.

26 (ii) Municipal and a state-supported institution of
27 higher education police officer does not include auxiliary officers or those
28 serving on a temporary or part-time status;

29 (D)(i) Sheriff or deputy sheriff, including without
30 limitation all law enforcement officers on full-time status on a regular
31 basis serving the sheriff's department of any county.

32 (ii) Sheriff or deputy sheriff does not include a
33 deputy sheriff who is:

34 (a) Engaged in administrative or civil duty;

35 or

36 (b) Serving in a temporary capacity or part-

1 time status;

2 (E) State highway patrolman, including without limitation
3 any law enforcement officer, regardless of department or bureau, of the
4 Division of Arkansas State Police; and

5 (F) Any other person employed by the State of Arkansas or
6 a political subdivision of the State of Arkansas as an appointed law
7 enforcement officer who is responsible for the prevention and detection of
8 crime and the enforcement of the criminal, traffic, or highway laws of this
9 state;

10 (8) "Ordnance delivery" means the piloting of or flying in an
11 experimental or test aircraft while determining its fitness or ability to
12 perform its military function or mission;

13 (9)(A) "Prisoner of war", "person missing in action", "person
14 killed in action", and "person killed on ordnance delivery" mean a person
15 who:

16 (i) Was a resident of the State of Arkansas at the
17 time that person entered the service of the United States Armed Forces or
18 whose official residence is within the State of Arkansas; and

19 (ii) Who, while serving in the United States Armed
20 Forces, has been declared to be a prisoner of war, a person missing in
21 action, a person killed in action as established by the United States
22 Secretary of Defense after January 1, 1960, or a person killed on ordnance
23 delivery.

24 (B) "Prisoner of war", "person missing in action", "person
25 killed in action", and "person killed on ordnance delivery" apply whether or
26 not capture or death occurred during a declared war or as a result of hostile
27 action.

28 (C) A death as a result of injuries received while serving
29 in the United States Armed Forces or Arkansas National Guard is only covered
30 by this subdivision (a)(9) if the death occurred while on active duty or
31 state active duty;

32 (10) "State correction employee" means an employee of the
33 Division of Correction or the Arkansas Correctional School District who
34 becomes subject to injury through contact with an inmate or parolee of the
35 Division of Correction;

36 (11) "State forestry employee" means an employee of the Arkansas

1 Forestry Commission who is actively engaged in his or her duties of fighting
 2 forest fires;

3 (12) "State highway employee" means an employee of the Arkansas
 4 Department of Transportation who actively engages in highway maintenance,
 5 construction, or traffic operations on the roadways and bridges of the state
 6 highway system while the roadways and bridges are open for use by the
 7 traveling public;

8 (13) "State parks employee" means an employee of the Department
 9 of Parks, Heritage, and Tourism who is a commissioned law enforcement officer
 10 or emergency response employee while actively engaged in the performance of
 11 his or her duties;

12 (14) "Teacher" means a person employed by a public school
 13 district for the purpose of providing direct instruction to students and
 14 whose employment requires state certification; and

15 (15) "United States Armed Forces dependent" means a spouse, a
 16 child born to or conceived by, an adopted child, a child under legal
 17 guardianship, or a stepchild of a:

18 (A) Disabled veteran;

19 (B) Prisoner of war; or

20 (C) Person declared to be:

21 (i) Missing in action;

22 (ii) Killed in action; or

23 (iii) Killed on ordnance delivery.

24
 25 6-82-2504. Rules.

26 The Division of Higher Education may promulgate rules to implement this
 27 subchapter.

28
 29 6-82-2505. Eligibility for Arkansas Heroes Scholarship.

30 (a) Eligibility for the Arkansas Heroes Scholarship requires one (1)
 31 of the following:

32 (1) The student has been an Arkansas resident for at least one
 33 (1) year before submitting a scholarship application;

34 (2) The student was born before the date of the death or
 35 disability of the Arkansas hero; or

36 (3) The Arkansas hero or the spouse of the Arkansas hero was

1 pregnant with the student at the time of the death or disability of the
2 Arkansas hero.

3 (b) In order for an adopted child to be eligible to receive a
4 scholarship benefit:

5 (1) The adopted child is required to have been adopted before
6 the date of the death or disability of the Arkansas hero; or

7 (2) The adopted child's adoption process is required to have
8 begun before the date of the death or disability of the Arkansas hero.

9 (c) In order for a stepchild under nineteen (19) years of age to be
10 eligible to receive a scholarship benefit, the stepchild under nineteen (19)
11 years of age shall have:

12 (1) Been listed as a dependent on the federal and state income
13 tax returns of the Arkansas hero in each of the five (5) income years
14 immediately before the date of the death or disability of the Arkansas hero;
15 and

16 (2) Received more than one-half (1/2) of his or her financial
17 support from the Arkansas hero in each of the five (5) income years
18 immediately before the date of the death or disability of the Arkansas hero.

19 (d) In order for a stepchild who is nineteen (19) years of age or
20 older to be eligible to receive a scholarship benefit, the stepchild who is
21 nineteen (19) years or older shall have:

22 (1) Been listed as a dependent on the federal and state income
23 tax returns of the Arkansas hero in at least five (5) of the eight (8) income
24 years immediately before the date of the death or disability of the Arkansas
25 hero; and

26 (2) Received more than one-half (1/2) of his or her financial
27 support from the Arkansas hero in at least five (5) of the eight (8) income
28 years immediately before the date of the death or disability of the Arkansas
29 hero.

30 (e) If a covered public employee, as defined in § 21-5-701, or his or
31 her heirs did not file for the available death or disability benefit but were
32 otherwise eligible to receive the death or disability benefit within the time
33 frame provided in § 21-5-703, then the covered public employee's child or
34 children who would have otherwise been eligible to receive the provided
35 educational scholarship benefit under this section may individually file
36 before his or her twenty-first birthday a claim to receive the provided

1 educational scholarship benefit if:

2 (1) The student is considered a United States Armed Forces
3 dependent as provided in § 6-82-2503; or

4 (2) The student is a dependent of an Arkansas hero who suffered
5 fatal injuries or wounds or becomes disabled as a result of injuries or
6 wounds that occurred in the performance of a hazardous duty within the scope
7 of his or her employment or that occurred en route to or returning from a
8 location where a hazardous situation existed.

9 (f) Scholarship benefits may not accrue under this subchapter to a
10 person if the wound or injury suffered by an Arkansas hero is self-inflicted
11 or if the death of an Arkansas hero is self-inflicted.

12 (g) Unless subsection (e) of this section is applicable, the Arkansas
13 State Claims Commission shall award any scholarship benefit provided by this
14 subchapter at the same time that any death benefit or disability benefit is
15 awarded by the commission under the provisions of § 21-5-701 et seq.

16
17 6-82-2506. Eligibility restrictions.

18 (a) A child shall not be entitled to receive benefits under this
19 subchapter during any semester or quarter when the child has reached twenty-
20 six (26) years of age on or before the first day of the semester or quarter.

21 (b)(1) A spouse shall not be eligible to receive benefits under this
22 subchapter if he or she remarries.

23 (2) The benefits under this subchapter shall cease at the end of
24 the semester in which the spouse is currently enrolled at the time of the
25 marriage.

26
27 6-82-2507. Applications.

28 (a) An eligible student shall apply to the Division of Higher
29 Education for benefits under this subchapter.

30 (b) A United States Armed Forces dependent shall:

31 (1) Apply for the Survivors' and Dependents' Educational
32 Assistance program, 38 U.S.C. § 3500 et seq., as it existed on January 1,
33 2025, with the United States Department of Veterans Affairs; and

34 (2) Provide the division with proof of:

35 (A) Acceptance into the Survivors' and Dependents'
36 Educational Assistance program; or

1 (B) Noneligibility for the Survivors' and Dependents'
2 Educational Assistance program following application.

3 (c) Except as provided under subsection (d) of this section, a
4 dependent of an Arkansas hero, upon his or her being accepted for enrollment
5 into any private, nonprofit institution of higher education in the State of
6 Arkansas or a state-supported institution of higher education in the State of
7 Arkansas, may obtain his or her first bachelor's degree for so long as he or
8 she is eligible with state assistance for tuition, fees, or other charges as
9 provided under this subsection.

10 (d)(1) The state assistance under this subchapter is limited to the
11 tuition, fees, or other charges that exceed the amount of monetary benefits
12 the dependent is eligible to receive from the Survivors' and Dependents'
13 Educational Assistance program during the months included in each semester in
14 which the dependent is enrolled.

15 (2) If the dependent is not eligible for monetary benefits from
16 the Survivors' and Dependents' Educational Assistance program but is eligible
17 for the benefits under this subchapter, the dependent may obtain a bachelor's
18 degree free of tuition, fees, or other charges from a private, nonprofit
19 institution of higher education in this state or a state-supported
20 institution of higher education in this state.

21 (3) However, the state assistance awarded to a dependent
22 attending a private, nonprofit institution of higher education in this state
23 shall not exceed the maximum amount of state assistance awarded to dependents
24 attending a state-supported institution of higher education in this state.

25 (e) Once a person qualifies as a dependent under this subchapter,
26 there shall be no situation such as the return of the parent or the reported
27 death of the parent that will remove the dependent from the provisions or
28 benefits of this subchapter.

29 (f) An eligible recipient shall receive a scholarship for one (1)
30 academic year, renewable for up to three (3) additional academic years if the
31 recipient meets continuing eligibility criteria established by the division.

32 (g) In compliance with the division's scholarship stacking policy, a
33 student's total financial aid package, which can include multiple
34 scholarships, shall not exceed the recognized cost of attendance at a state-
35 supported institution of higher education.

36 (h) In the event the number of students who qualify for a scholarship

1 under this subchapter during an academic year exceeds the amount of funds
 2 appropriated to the Higher Education Grants Fund Account for purposes of
 3 funding students who qualify for scholarship under this subchapter during the
 4 given academic year, the excess awards that qualify for distribution under
 5 this subchapter shall be funded with any net proceeds from the state lottery
 6 remaining after the division allocates sufficient funding to award the
 7 following scholarships at levels equivalent to the awards made in the
 8 previous academic year:

9 (1) Arkansas Academic Challenge Scholarship, § 6-85-201 et seq.;

10 and

11 (2) Arkansas Workforce Challenge Scholarship, § 6-85-301 et seq.

12
 13 6-82-2508. Scholarship funding and continued eligibility.

14 (a) The state assistance under this subchapter is limited to the
 15 tuition, fees, and other expenses required for the first bachelor's degree
 16 earned by the dependent.

17 (b)(1) An eligible dependent shall be entitled to a total of eight (8)
 18 semesters, or the equivalent thereof, of scholarship awards without cost,
 19 exclusive of books, food, school supplies, materials, and dues or fees for
 20 extracurricular activities, at any state-supported institution of higher
 21 education or technical institute of his or her choice within this state.

22 (2) The eligible dependent may take up to four (4) semesters, or
 23 the equivalent thereof, at a technical institute.

24 (c) To retain eligibility for a scholarship benefit under this
 25 subchapter, a recipient shall:

26 (1) Maintain a minimum of a 2.0 grade point average on a 4.0
 27 scholastic grading scale; and

28 (2) Meet any other continuing eligibility criteria established
 29 by the Division of Higher Education.

30 (d) If a recipient fails to meet eligibility criteria, he or she may
 31 apply for state assistance under this subchapter a maximum of one (1)
 32 additional time once eligibility is reestablished.

33
 34 SECTION 80. Arkansas Code § 6-85-207 is amended to read as follows:
 35 6-85-207. Additional eligibility requirements for traditional students.
 36 In addition to the basic eligibility requirements of § 6-85-206, an

1 applicant is eligible as a traditional student if the applicant either:

2 (1)(A) Graduated from an Arkansas public high school and has a
3 minimum superscore of nineteen (19) on the ACT or the equivalent score on an
4 ACT equivalent; or

5 (B) Upon graduation from high school:

6 (i) Achieved a minimum grade point average of 3.0
7 during high school;

8 (ii) Completed at least one (1) college readiness
9 assessment; and

10 (iii)(a) Achieved a diploma of merit as defined in
11 rules promulgated by the State Board of Education.

12 (b) Proof of attainment of the diploma of
13 merit under subdivision (1)(B)(iii)(a) of this section shall be submitted
14 with the student's scholarship application; or

15 (2)(A) Has a disability identified under the Individuals with
16 Disabilities Education Act, 20 U.S.C. § 1400 et seq., as it existed on July
17 1, 2009, and graduated from an Arkansas public high school, and either: meets
18 the requirements defined in subdivision (1) of this section.

19 ~~(A) Had a minimum composite score of nineteen (19) on the~~
20 ~~ACT or the equivalent score on an ACT equivalent; or~~

21 ~~(B) Scored proficient or higher on all state mandated end-~~
22 ~~of-course assessments, including without limitation end-of-course assessments~~
23 ~~on:~~

24 ~~(i) Algebra I;~~

25 ~~(ii) Geometry;~~

26 ~~(iii) Biology; and~~

27 ~~(iv) Literacy;~~

28 ~~(3) Achieved a minimum superscore of nineteen (19) on the ACT or~~
29 ~~the equivalent score on an ACT equivalent and:~~

30 (B) A student shall also meet one (1) of the following
31 eligibility requirements:

32 ~~(A) Graduated~~ (i) Graduate from a private high school, an
33 out-of-state high school, or a home school high school; ~~or~~

34 ~~(B)(ii)~~ (ii) In the year in which the student would have been a
35 junior or senior in high school, completed the requirements for high school
36 graduation and obtained a high school equivalency diploma approved by the

1 Adult Education Section instead of receiving a diploma; or

2 ~~(4)(iii)~~ Meets one (1) of the following criteria:

3 ~~(A)(a)~~ Was enrolled at an institution of higher education
4 in the immediately preceding academic year as a full-time, first-time
5 freshman;

6 ~~(B)(b)~~ Did not receive a scholarship under this subchapter
7 as a full-time, first-time freshman;

8 ~~(C)(c)~~ Successfully completed with the equivalent of a
9 minimum letter grade of "D" at least twenty-seven (27) semester hours of
10 courses as a full-time, first-time freshman; ~~and or~~

11 ~~(D)(d)~~ Achieved a postsecondary grade point average of at
12 least 2.5 on a 4.0 scale as a full-time, first-time freshman.

13
14 SECTION 81. Arkansas Code § 6-85-212(d)(1)(A), concerning scholarship
15 award amounts under the Arkansas Academic Challenge Scholarship Program, is
16 amended to read as follows:

17 (d)(1)(A) Subject to the availability of net revenue, the scholarship
18 award amount under this subchapter for an academic year for a full-time
19 recipient enrolled in a four-year approved institution of higher education
20 is:

21 (i) ~~One~~ Two thousand dollars ~~(\$1,000)~~ (\$2,000) for a
22 recipient who has earned less than twenty-seven (27) semester credit hours;

23 (ii) Four thousand dollars (\$4,000) for a recipient
24 who has earned at least twenty-seven (27) semester credit hours but less than
25 fifty-seven (57) semester credit hours;

26 (iii) Four thousand dollars (\$4,000) for a recipient
27 who has earned at least fifty-seven (57) semester credit hours but less than
28 eighty-seven (87) semester credit hours; and

29 (iv)(a) Five thousand dollars (\$5,000) for a
30 recipient who has earned at least eighty-seven (87) semester credit hours but
31 no more than one hundred twenty (120) semester credit hours unless the
32 recipient is enrolled in a baccalaureate degree program that requires more
33 than one hundred twenty (120) semester credit hours, but not more than one
34 hundred thirty (130) semester credit hours, as provided under § 6-61-232,
35 then up to the number of credit hours required to complete the baccalaureate
36 program.

1 (b) A recipient shall receive no more than one
 2 (1) year of the scholarship provided under subdivision (d)(1)(A)(iv)(a) of
 3 this section unless the recipient is enrolled in a baccalaureate degree
 4 program that requires more than one hundred twenty (120) semester credit
 5 hours as provided under § 6-61-232.

6 (c)(1) A recipient who is eligible to receive
 7 the scholarship under subdivision (d)(1)(A)(iv)(a) of this section may
 8 receive the scholarship while enrolled in a semester as a part-time student.

9 (2) The scholarship amount for the
 10 semester in which a recipient is enrolled as a part-time student under
 11 subdivision (d)(1)(A)(iv)(c)(1) of this section ~~shall~~ may be prorated by the
 12 number of credit hours in which the recipient is enrolled.

13
 14 SECTION 82. Arkansas Code § 6-85-302 is amended to read as follows:
 15 6-85-302. Definitions.

16 As used in this subchapter:

17 (1) "Approved institution of higher education" means an
 18 institution of higher education approved by the Division of Higher Education
 19 to participate in the Arkansas Workforce Challenge Scholarship Program ~~and~~
 20 that ~~is~~:

21 (A) Has its primary headquarters located in Arkansas;

22 (B) Is eligible to receive Title IV federal student aid
 23 funds; and

24 (C) Is:

25 (i) A state-supported two-year or four-year college
 26 or university institution of higher education; or

27 (ii) A public or private vocational-technical
 28 school;

29 (iii) A public or private technical institute; or

30 ~~(B)(iv) A private, nonprofit two-year or four-year college~~
 31 ~~or university with its primary headquarters located in Arkansas that is~~
 32 ~~eligible to receive Title IV federal student aid funds; and~~

33 (2)(A) "Certificate program" means a program that is offered or
 34 made available to a student by an approved institution of higher education
 35 that leads to the obtainment of a certification or license, including without
 36 limitation a program operated or sponsored by a third party.

1 (B) "Certificate program" is determined by the division
 2 and includes without limitation the following:

- 3 (i) Advanced manufacturing;
- 4 (ii) Health care;
- 5 (iii) Information technology;
- 6 (iv) Construction trades; or
- 7 (v) Logistics and distribution.

8 (C) The credit hours or contact hours awarded for a
 9 certificate program may include credit hours or contact hours that are not
 10 creditable toward an associate or a baccalaureate degree.

11
 12 SECTION 83. Arkansas Code § 6-85-304(a), concerning student
 13 eligibility under the Arkansas Workforce Challenge Scholarship Program, is
 14 amended to read as follows:

15 (a) A student is eligible to receive an Arkansas Workforce Challenge
 16 Scholarship for an academic year if the student applies to ~~the Division of~~
 17 ~~Higher Education~~ an approved institution of higher education by a date
 18 determined by the Division of Higher Education preceding the academic year
 19 and:

20 (1) Is an Arkansas resident or, if the student is less than
 21 twenty-one (21) years of age, either the student or one (1) parent of the
 22 student is an Arkansas resident;

23 (2) Meets either of the following requirements:

24 (A) Graduated from a:

25 (i) Public high school in Arkansas or another state;
 26 (ii) Private high school in Arkansas or another
 27 state; or

28 (iii) Home school under § 6-15-501 et seq. or
 29 recognized by another state; or

30 (B) Received a high school equivalency diploma approved by
 31 the Adult Education Section or another state;

32 (3) Is not receiving a scholarship under the Arkansas Academic
 33 Challenge Scholarship Program, § 6-85-201 et seq.; and

34 (4) Is accepted for admission in a program of study at an
 35 approved institution of higher education that leads to an associate degree or
 36 a certificate program in one (1) of the ~~following~~ high-demand fields:

1 described in § 6-85-302.

2 ~~(A) Industry;~~

3 ~~(B) Health care; and~~

4 ~~(C) Information technology; and~~

5 ~~(5)(A) Whose program of study or certificate program will result~~
 6 ~~in the student's being qualified to work in an occupation identified by the~~
 7 ~~Division of Workforce Services under subdivision (a)(5)(B)(i) of this~~
 8 ~~section.~~

9 ~~(B)(i) The Division of Workforce Services shall provide~~
 10 ~~annually to the Division of Higher Education by March 1 a list that~~
 11 ~~identifies the five (5) most in-demand occupations in this state in each~~
 12 ~~high-demand field under subdivision (a)(4) of this section that require the~~
 13 ~~completion of a program of study that leads to an associate degree or a~~
 14 ~~certificate program.~~

15 ~~(ii) The Division of Workforce Services shall publish~~
 16 ~~on its website the list under subdivision (a)(5)(B)(i) of this section and~~
 17 ~~data supporting the list.~~

18
 19 SECTION 84. Arkansas Code § 6-85-305 is amended to read as follows:
 20 6-85-305. Distribution – Award amounts.

21 (a) If funds are available, the Division of Higher Education shall
 22 distribute Arkansas Workforce Challenge Scholarships to all students who meet
 23 the requirements under § 6-85-304.

24 (b)(1) The division shall distribute scholarships from the funds
 25 available in an equal amount to every student eligible to receive a
 26 scholarship under this subchapter.

27 ~~(2) Except as provided in subsection (c) of this section, the~~

28 ~~(2)(A) The maximum scholarship award a student may receive in an~~
 29 ~~academic year shall be the lesser of:~~

30 ~~(A) Eight hundred dollars (\$800); or~~

31 ~~(B)(i) The cost of the certificate program or program of~~
 32 ~~study.~~

33 ~~(ii) The cost of a certificate program or program of~~
 34 ~~study shall include:~~

35 ~~(a) Tuition, fees, or other charges;~~

36 ~~(b) Textbooks or other course materials; and~~

1 ~~(c) Equipment needed for a course established~~
 2 ~~by the division.~~

3 (B) Scholarship awards shall be based on the following
 4 criteria:

- 5 (i) Program costs;
- 6 (ii) Statewide workforce demands;
- 7 (iii) Credentials of value; and
- 8 (iv) Industry-specific expected wages and wage
 9 increase progression.

10 (C) The division shall establish the award amounts payable
 11 to awardees on an annual basis.

12 (3) The scholarship awards may be used for expenses included in
 13 the cost of the certificate program or program of study.

14 (4) A scholarship under this section shall be only for the
 15 academic year for which it is awarded.

16 ~~(c)(1) If the division has funds remaining after making the~~
 17 ~~distributions under subsection (b) of this section, the division shall~~
 18 ~~distribute scholarships to students for the summer term of the academic year.~~

19 ~~(2) If funds are available under subdivision (c)(1) of this~~
 20 ~~section, a student shall apply for a scholarship for a summer term by a date~~
 21 ~~determined by the division preceding the summer term.~~

22 ~~(3)(A)~~ The division shall distribute scholarships for a summer
 23 term in the same manner as under subsection (b) of this section.

24 ~~(B)(2)~~ Scholarships for a summer term may be used in the
 25 same manner as under subsection (b) of this section.

26 ~~(4)(3)~~ A student who received a scholarship under subsection (b)
 27 of this section may also receive a scholarship for a summer term.

28 (d) The division shall disburse scholarship awards on behalf of an
 29 eligible student directly to the approved institution of higher education.

30
 31 SECTION 85. Arkansas Code Title 6, Chapter 85, Subchapter 4 is
 32 repealed.

33 ~~Subchapter 4 — Arkansas Concurrent Challenge Scholarship Program~~

34
 35 ~~6-85-401. Creation.~~

36 ~~There is created the Arkansas Concurrent Challenge Scholarship Program.~~

~~6-85-402. Definitions.~~

~~As used in this subchapter:~~

~~(1) "Approved institution of higher education" means an institution of higher education that:~~

~~(A) Is approved by the Division of Higher Education to participate in the Arkansas Concurrent Challenge Scholarship Program;~~

~~(B) Offers at least a fifty percent discount on the tuition and mandatory fees of an endorsed concurrent enrollment course or certificate program to a student who is enrolled in an endorsed concurrent enrollment course or certificate program, unless other opportunities are provided that lower the tuition and mandatory fees below fifty percent (50%); and~~

~~(C) Is a:~~

~~(i) State-supported two-year or four-year college or university; or~~

~~(ii) Private, nonprofit two-year or four-year college or university that has its primary headquarters located in Arkansas and that is eligible to receive Title IV federal student aid funds;~~

~~(2)(A) "Certificate program" means a program that is offered or made available to a student by an approved institution of higher education that leads to the obtainment of a certification or license.~~

~~(B) "Certificate program" does not include a program that is operated or sponsored by a third party;~~

~~(3)(A) "Endorsed concurrent enrollment course" means the same as defined in § 6-16-1202.~~

~~(B) "Endorsed concurrent enrollment course" does not include a program that is operated or sponsored by a third party; and~~

~~(4) "Student" means a person in grade ten (10), grade eleven (11), or grade twelve (12) who is enrolled at a:~~

~~(A) Public high school in Arkansas;~~

~~(B) Private high school in Arkansas; or~~

~~(C) Home school, as defined in § 6-15-501.~~

~~6-85-403. Eligibility.~~

~~(a) A student is eligible to receive an Arkansas Concurrent Challenge~~

~~Scholarship under this subchapter for an academic semester or academic year during which the student is enrolled in an endorsed concurrent enrollment course or certificate program if the student:~~

~~(1) Is an Arkansas resident or, if the student is less than twenty one (21) years of age, either the student or one (1) parent of the student is an Arkansas resident; and~~

~~(2)(A) Submits a student success plan as described under § 6-15-2911(b).~~

~~(B) The student success plan required under subdivision (a)(2)(A) of this section for a student who is enrolled in an endorsed concurrent enrollment course or certificate program shall:~~

~~(i) Be prepared in consultation with:~~

~~(a) School personnel, the student, and the student's parent or legal guardian; or~~

~~(b) A college advisor; and~~

~~(ii) Include:~~

~~(a) An endorsed concurrent enrollment course or certificate program that is relevant to the student's success plan; and~~

~~(b) Measures that ensure the successful completion of the endorsed concurrent enrollment course or certificate program in which the student is enrolled.~~

~~(b)(1) A student successfully completes an endorsed concurrent enrollment course or a course taken towards the completion of a certificate program under this subchapter if he or she completes the course or program and receives a minimum grade point average of 2.5.~~

~~(2)(A) A student who fails to successfully complete an endorsed concurrent enrollment course or a course taken towards the completion of a certificate program under this subchapter shall:~~

~~(i) Retain eligibility for a scholarship under this subchapter; and~~

~~(ii) Enroll in no more than one (1) endorsed concurrent enrollment course or course required for the completion of a certificate program for the first semester following the semester in which the student failed to successfully complete an endorsed concurrent enrollment course or course taken towards the completion of a certificate program.~~

~~(B) However, if a student fails an endorsed concurrent~~

1 ~~enrollment course or a course taken towards the completion of a certificate~~
2 ~~program under this subchapter a second time, the student shall be ineligible~~
3 ~~to reapply for a scholarship under this subchapter.~~

4 ~~(c) A student whose enrollment in a vocational center is reimbursable~~
5 ~~under § 6-51-305 is not eligible for a scholarship under this subchapter.~~

6
7 ~~6-85-404. Funding.~~

8 ~~(a) For an academic year, Arkansas Concurrent Challenge Scholarships~~
9 ~~under this subchapter shall be funded with any funds remaining after the~~
10 ~~Division of Higher Education allocates sufficient funding to award Arkansas~~
11 ~~Workforce Challenge Scholarships under § 6-85-301 et seq., at a level~~
12 ~~equivalent to the awards made in the previous academic year.~~

13 ~~(b)(1) A scholarship under this subchapter shall not be awarded for an~~
14 ~~academic year if:~~

15 ~~(A) Less than two hundred fifty thousand dollars~~
16 ~~(\$250,000) is available under subsection (a) of this section; or~~

17 ~~(B) The division received a loan from the Scholarship~~
18 ~~Shortfall Reserve Trust Account under § 23-115-802 for the Arkansas Academic~~
19 ~~Challenge Scholarship Program, § 6-85-201 et seq., for the previous academic~~
20 ~~year.~~

21 ~~(2) Any funds under subsection (a) of this section that are not~~
22 ~~disbursed for scholarships under this subchapter shall be carried over to the~~
23 ~~next academic year to be used for scholarships under this subchapter.~~

24
25 ~~6-85-405. Distribution — Award amounts.~~

26 ~~(a) If funds are available, the Division of Higher Education shall~~
27 ~~award Arkansas Concurrent Challenge Scholarships to all students who meet the~~
28 ~~requirements under this subchapter.~~

29 ~~(b)(1) The division shall distribute scholarships from the funds~~
30 ~~available in an equal amount to every approved institution of higher~~
31 ~~education that has enrolled a student eligible to receive a scholarship under~~
32 ~~this subchapter.~~

33 ~~(2) The maximum scholarship award a student may receive in an~~
34 ~~academic year shall be the lesser of:~~

35 ~~(A)(i) Five hundred dollars (\$500).~~

36 ~~(ii) A scholarship awarded to a student who is~~

1 ~~eligible under § 6-85-403 shall be awarded in the amount of one hundred~~
2 ~~twenty five dollars (\$125) for each endorsed concurrent enrollment credit~~
3 ~~course or certificate program in which the eligible student is enrolled, up~~
4 ~~to two (2) endorsed concurrent enrollment credit courses or certificate~~
5 ~~programs per semester; or~~

6 ~~(B) The tuition and mandatory fees of the endorsed~~
7 ~~concurrent credit course or certificate program.~~

8 ~~(3) A scholarship granted under this section may be awarded in~~
9 ~~addition to any funds received for the enrollment in an endorsed concurrent~~
10 ~~enrollment course under § 6-16-1204(c)(3).~~

11 ~~(4) Unless a student's high school or community-based program~~
12 ~~provides financial assistance for the cost of tuition and mandatory fees for~~
13 ~~an endorsed concurrent enrollment course or certificate program, the~~
14 ~~remaining cost of tuition and mandatory fees for an endorsed concurrent~~
15 ~~enrollment course or certificate program is the responsibility of the~~
16 ~~eligible student who is enrolled in the endorsed concurrent enrollment course~~
17 ~~or certificate program.~~

18
19 ~~6-85-406. Rules.~~

20 ~~The Division of Higher Education shall promulgate rules to implement~~
21 ~~this subchapter.~~

22
23 SECTION 86. Arkansas Code § 6-85-502(b)(5), concerning the amount of
24 net proceeds to fund scholarships under the Arkansas Concurrent Challenge
25 Scholarship Program used for the lottery fiscal impact statement, is
26 repealed.

27 ~~(5) The amount of net proceeds that was necessary to fund~~
28 ~~scholarships under the Arkansas Concurrent Challenge Scholarship Program, §~~
29 ~~6-85-401 et seq., during each of the last four (4) years immediately~~
30 ~~preceding the year in which the proposed bill is being considered, listed~~
31 ~~separately;~~

32
33 SECTION 87. Arkansas Code § 6-85-502(b)(7)(C), concerning the
34 comparison of the year with the highest amount of net proceeds necessary to
35 fund scholarships under the Arkansas Concurrent Challenge Scholarship
36 Program, is repealed.

1 ~~(C) The year with the highest amount of net proceeds~~
 2 ~~necessary to fund scholarships under the Arkansas Concurrent Challenge~~
 3 ~~Scholarship Program, § 6-85-401 et seq., as determined under subdivision~~
 4 ~~(b)(5) of this section; and~~

6 SECTION 88. Arkansas Code § 20-7-133(b)(2), concerning members
 7 appointed by the Commissioner of Elementary and Secondary Education to the
 8 Child Health Advisory Committee, is amended to read as follows:

9 (2) The Commissioner of Elementary and Secondary Education shall
 10 appoint:

11 (A) One (1) member to represent the Division of Elementary
 12 and Secondary Education;

13 (B) One (1) member to represent the ~~Arkansas School~~
 14 ~~Nutrition Association~~ Child Nutrition Unit;

15 (C) One (1) ~~member to represent the Arkansas School Nurses~~
 16 ~~Association~~ public school nurse;

17 (D) One (1) ~~member to represent the Arkansas Association~~
 18 ~~of Educational Administrators~~ public school administrator;

19 (E) One (1) member ~~to represent the Arkansas PTA~~ of a
 20 public school district parent-teacher association;

21 (F) One (1) member ~~to represent the Arkansas School Boards~~
 22 ~~Association~~ of a public school district board of directors;

23 (G) One (1) ~~member to represent the Arkansas Association~~
 24 ~~of School Business Officials~~ public school district finance employee; and

25 (H) One (1) ~~member to represent the Arkansas Association~~
 26 ~~for Supervision and Curriculum Development~~ Two (2) public school licensed
 27 educators; and

28 ~~(I) One (1) member who is a classroom teacher.~~

30 SECTION 89. Arkansas Code § 21-5-703(c), concerning the award of
 31 scholarship benefits by the Arkansas State Claims Commission during the claims
 32 process for death benefits of public employees, is amended to read as
 33 follows:

34 (c) Unless ~~§ 6-82-504(e)~~ § 6-82-2505(e) is applicable, the commission
 35 shall award any scholarship benefit provided by the provisions of ~~§ 6-82-501~~
 36 ~~et seq.~~ the Arkansas Heroes Scholarship Act, § 6-82-2501 et seq., at the same

1 time any death benefit or total and permanent disability benefit is awarded
2 under this subchapter.

3
4 SECTION 90. Arkansas Code § 21-5-705(a)(3)(B)(i), concerning the
5 maximum death benefit paid to a designated beneficiary or survivor of certain
6 public employees killed in the line of duty, is amended to read as follows:

7 (i) A maximum of one hundred fifty thousand dollars
8 (\$150,000) per individual death, including educational benefits provided in §
9 ~~6-82-501 et seq.~~ the Arkansas Heroes Scholarship Act, § 6-82-2501 et seq.;
10 and

11
12 SECTION 91. The introductory language of Arkansas Code § 23-115-
13 801(b)(1)(B)(i), concerning the establishment of the Lottery Scholarship
14 Trust Account by the Office of the Arkansas Lottery, is amended to read as
15 follows:

16 (B)(i) The office shall establish the Lottery Scholarship
17 Trust Account as required under subdivision (b)(1)(A) of this section to fund
18 the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., the
19 Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et seq., ~~the~~
20 ~~Arkansas Concurrent Challenge Scholarship Program, § 6-85-401 et seq.~~, and
21 any other scholarship funded with net proceeds from the state lottery in a
22 financial institution into which the office shall transfer:

23
24 SECTION 92. Arkansas Code § 23-115-801(b)(1)(B)(ii) and (iii),
25 concerning funding of the Lottery Scholarship Trust Account by the Office of
26 the Arkansas Lottery, are amended to read as follows:

27 (ii) The funds transferred by the office into the
28 Lottery Scholarship Trust Account for the Arkansas Academic Challenge
29 Scholarship Program, § 6-85-201 et seq., the Arkansas Workforce Challenge
30 Scholarship Program, § 6-85-301 et seq., ~~the Arkansas Concurrent Challenge~~
31 ~~Scholarship Program, § 6-85-401 et seq.~~, and any other scholarship funded
32 with net proceeds from the state lottery as established under subdivision
33 (b)(1)(B)(i) of this section shall be used for:

34 (a) Arkansas Workforce Challenge Scholarships;
35 (b) Any management fees charged by the
36 financial institution to manage the trust account for scholarship award

1 supplements;

2 (c) ~~Arkansas Concurrent Challenge~~

3 ~~Scholarships;~~

4 ~~(d)~~ Arkansas Academic Challenge Scholarships;

5 and

6 ~~(e)~~ (d) Any other scholarship funded with net
7 proceeds from the state lottery.

8 (iii) Annually, the office shall transfer to the
9 division the funds from the previous academic year, if any, that were
10 transferred by the office into the Lottery Scholarship Trust Account
11 established under subdivision (b)(1)(B)(i) of this section for distribution
12 of Arkansas Academic Challenge Scholarships, Arkansas Workforce Challenge
13 Scholarships, ~~Arkansas Concurrent Challenge Scholarships~~, and any other
14 scholarship funded with net proceeds from the state lottery.

15

16 SECTION 93. Arkansas Code § 23-115-801(c)(1)(C), concerning the
17 scholarship programs that the Commissioner of the Division of Higher
18 Education is required to certify funding for, is repealed.

19 ~~(C) The Arkansas Concurrent Challenge Scholarship Program,~~
20 ~~§ 6-85-401 et seq.; and~~

21

22 SECTION 94. Arkansas Code § 23-115-801(c)(2)(D)(ii)(a), concerning the
23 distribution to recipients if funds remain after award of all scholarships
24 under the Arkansas Academic Challenge Program, is amended to read as follows:

25 (ii)(a) If available funds remain after the award of
26 all scholarships under the Arkansas Academic Challenge Program, § 6-85-201 et
27 seq., then the available funds shall be distributed to recipients of
28 scholarships under the Arkansas Workforce Challenge Scholarship Program, § 6-
29 85-301 et seq., ~~and the Arkansas Concurrent Challenge Scholarship Program, §~~
30 ~~6-85-401 et seq.~~, on a pro rata basis as determined by the division.

31

32 SECTION 95. Arkansas Code § 23-115-802(c)(2) and (3), concerning the
33 process of using the Scholarship Shortfall Reserve Trust Account if net
34 proceeds are insufficient to meet scholarship funding, are amended to read as
35 follows:

36 (2) Except as provided in subdivision (c)(3)(B) of this section,

1 the Scholarship Shortfall Reserve Trust Account shall not be drawn upon to
2 fund Arkansas Workforce Challenge Scholarships under the Arkansas Workforce
3 Challenge Scholarship Program, § 6-85-301 et seq., ~~Arkansas Concurrent~~
4 ~~Challenge Scholarships under the Arkansas Concurrent Challenge Scholarship~~
5 ~~Program, § 6-85-401 et seq.~~, or any other scholarship funded with net
6 proceeds from the state lottery.

7 (3)(A) Determining the maximum amount of loans from the
8 Scholarship Shortfall Reserve Trust Account to the Arkansas Academic
9 Challenge Scholarship Program, § 6-85-201 et seq., or the Arkansas Workforce
10 Challenge Scholarship Program, § 6-85-301 et seq., ~~or the Arkansas Concurrent~~
11 ~~Challenge Scholarship Program, § 6-85-401 et seq.~~, is the prerogative of the
12 General Assembly. This is usually accomplished by the General Assembly's
13 delineating such funding allocations for the various scholarship programs,
14 with the approval of the Administrative Rules Subcommittee of the Legislative
15 Council and through oversight as required by law by the Lottery Oversight
16 Subcommittee of the Legislative Council. Further, the General Assembly
17 determines that the Division of Higher Education may operate more efficiently
18 with some flexibility, therefore it is both necessary and appropriate that
19 the General Assembly maintain oversight by requiring prior approval of the
20 Legislative Council or the Joint Budget Committee as provided by this
21 section.

22 (B) If the division determines it is necessary to borrow
23 from the Scholarship Shortfall Reserve Trust Account to fund scholarships
24 under the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et
25 seq., or the Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et
26 seq., ~~or the Arkansas Concurrent Challenge Scholarship Program, § 6-85-401 et~~
27 ~~seq.~~, the division shall first obtain review and approval from the
28 Legislative Council or, if the General Assembly is in session, the Joint
29 Budget Committee.

30
31 SECTION 96. DO NOT CODIFY. SEVERABILITY CLAUSE. If any provision of
32 this act or the application of this act to any person or circumstance is held
33 invalid, the invalidity shall not affect other provisions or applications of
34 this act that can be given effect without the invalid provision or
35 application, and to this end, the provisions of this act are declared
36 severable.

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SECTION 97. DO NOT CODIFY. Effective dates.

Sections 68, 73, 85, 86, 87, 91, 92, 93, 94, and 95 of this act are effective on and after June 30, 2026.