

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**

# **A Bill**

**SENATE BILL 299**

4 **By: Senators Bookout, Pagan, Malone, Chaffin, Wilson, Edwards, Lewellen,**  
5 **Howell, C. Bell, Moore, Jewell, Dowd, Gordon, Hardin, Fitch, Bearden,**  
6 **Ross, and Everett**

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## **For An Act To Be Entitled**

10 "AN ACT TO ESTABLISH THE ARKANSAS ACADEMIC CHALLENGE  
11 SCHOLARSHIP PROGRAM FOR ARKANSAS HIGH SCHOOL GRADUATES WHO  
12 COMPLETE THE RECOMMENDED PRECOLLEGIATE CORE CURRICULUM,  
13 ENROLL AS FIRST-TIME FRESHMEN IN ARKANSAS COLLEGES AND  
14 UNIVERSITIES, AND MEET OTHER CRITERIA ESTABLISHED BY THE  
15 DEPARTMENT OF HIGHER EDUCATION; TO DESIGNATE THE  
16 DEPARTMENT OF HIGHER EDUCATION TO ADMINISTER THE ARKANSAS  
17 SCHOLARS PROGRAM; AND FOR OTHER PURPOSES."

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

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21 SECTION 1. LEGISLATIVE FINDINGS AND DECLARATION OF PUBLIC NECESSITY.  
22 The General Assembly hereby recognizes that taking the proper coursework in  
23 high school is essential for success in college. Arkansas high school  
24 students who complete the recommended precollegiate core curriculum score  
25 significantly higher on standardized preadmissions tests and are more likely  
26 to be successful in college. Because the state of Arkansas also benefits from  
27 the academic success of well-prepared college students, there is hereby  
28 established the Arkansas Academic Challenge Scholarship Program, a guaranteed  
29 college scholarship plan to promote academic achievement and encourage  
30 academically-prepared Arkansas high school graduates to enroll in the state's  
31 colleges and universities.

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33 SECTION 2. There is hereby created and established the Arkansas  
34 Academic Challenge Scholarship Program. Recipients of the scholarships funded  
35 through this program shall be known as Academic Challenge Award recipients.

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SECTION 3. For purposes of this Act, the following terms shall be defined as indicated:

(a) "Approved institution" means a public or private college or university located in Arkansas that is accredited by the North Central Association Commission on Institutions of Higher Education, *or which certifies to the Department of Higher Education that its students are accepted for transfer at institutions accredited by the North Central Association, Commission in Institutions of Higher Education*; further, such institution shall not discriminate against applicants, students or employees on the basis of race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal law.

(b) "Full-time undergraduate student" means a resident of Arkansas who attends an approved institution of higher education and is enrolled for at least twelve (12) credit hours per semester or the equivalent, as defined by the Department of Higher Education, in a program of study which leads to or is creditable towards a baccalaureate degree.

(c) "Eligible student" means any student who meets the criteria set out by this Act and is deemed to be eligible by rules and regulations authorized by this Act and promulgated by the Department of Higher Education.

(d) "Financial need" is defined to mean the family income of program applicants as determined by the Department of Higher Education through evaluation of program applications and supporting documentation.

(e) "Tuition" shall mean charges levied for attendance at an eligible institution of higher education; for purposes of this Act, tuition charges shall not include any fees charged or used for student activities, including any student athletic fee.

SECTION 4. Eligibility for the Arkansas Academic Challenge Scholarship Program shall be based on the criteria set forth in this section as well as program rules and regulations adopted pursuant to this Act by the Department of Higher Education. A student shall be eligible for an award from this program if he or she meets all of these criteria:

(a) The recipient shall have graduated from an Arkansas high school within twenty-four (24) months of enrolling as a full-time first-time freshman at an approved institution of higher education.

1 (b) The recipient shall have been a resident of the state of Arkansas  
2 for at least twelve (12) months prior to graduation from an Arkansas high  
3 school, and the recipient's parent(s) or guardian(s) shall have maintained  
4 Arkansas residency for the same period of time.

5 (c) The recipient must be a citizen of the United States or be a  
6 permanent resident alien.

7 (d) The recipient must be accepted for admission at an approved  
8 institution of higher education as a full-time first-time freshman, as defined  
9 by the Department of Higher Education, and must enroll in an approved  
10 institution within twenty-four (24) months of high school graduation.

11 (e) The recipient must have successfully completed the precollegiate  
12 core curriculum established by the State Boards of Education and Higher  
13 Education pursuant to Act 98 of 1989. Further, the recipient must satisfy  
14 these criteria:

15 (1) The recipient must have achieved a grade point average of 2.5 in  
16 the set of core curriculum courses.

17 (2) The recipient must score 19 or above on the ACT Composite or the  
18 equivalent, as defined by the Department of Higher Education.

19 (3) The Department of Higher Education is authorized to develop  
20 selection criteria through program rules and regulations which combine an  
21 applicant's ACT (or equivalent) score and grade point average in the core  
22 curriculum into a selection index. Notwithstanding the provisions of Sections  
23 4 (e) (1) and 4 (e) (2), this selection index shall be employed as an  
24 alternative selection process for applicants who achieve a grade point average  
25 above 2.5 in the set of precollegiate core curriculum courses defined in  
26 Section 4 (e) or for applicants who have an ACT Composite (or equivalent)  
27 score greater than 19.

28 (4) Starting in 1993-94, the required grade point average in the set  
29 of precollegiate core curriculum courses defined in Section 4 (e) shall be 3.0  
30 unless it is determined by the Department of Higher Education, based on review  
31 and evaluation of the program's operation in 1991-93, that this change would  
32 unduly reduce the number of low income or disadvantaged students who would  
33 otherwise be eligible for the program.

34 (5) Students who meet the provisions of Sections 4 (a) through 4 (c),  
35 but have not completed the precollegiate core curriculum defined in Section 4

1 (e) by the end of the senior year of high school, shall have the grace period  
2 of twenty-four months, established for this purpose in Sections 4 (a) and 4  
3 (d), in which to make up any course or ACT score deficiencies required for  
4 program eligibility.

5 (f) The student must demonstrate financial need as defined by the  
6 Department of Higher Education. In calculating student financial need, the  
7 following criteria shall be used:

8 (1) An applicant whose family includes one unemancipated child under  
9 the age of 21 shall have average family adjusted gross income over the  
10 previous two years not exceeding \$30,000 per year at the time of application  
11 to the program.

12 (2) An applicant whose family includes two unemancipated children  
13 under the age of 21 shall have average family adjusted gross income over the  
14 previous two years not exceeding \$35,000 per year at the time of application  
15 to the program.

16 (3) An applicant whose family includes three or more unemancipated  
17 children under the age of 21 shall have average family adjusted gross income  
18 over the previous two years not exceeding \$40,000 per year at the time of  
19 application to the program, plus, for families with more than three  
20 unemancipated children under the age of 21, an additional \$5,000 per year for  
21 each additional child.

22 (4) The Department of Higher Education shall have the authority to  
23 adjust these financial need family income requirements on an annual basis,  
24 using the federal Consumer Price Index to make any necessary changes. Other  
25 financial need criteria necessary for the selection of recipients, including  
26 those defined as emancipated or independent by federal student aid  
27 regulations, shall be established through rules and regulations issued by the  
28 Department of Higher Education.

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30 SECTION 5. (a) Students who receive scholarships under the program  
31 authorized by this act shall be known as Arkansas Academic Challenge  
32 Scholarship Award recipients.

33 (b) An eligible recipient shall receive a scholarship for one academic  
34 year, renewable for up to three additional academic years if the recipient  
35 meets continuing eligibility criteria established by the Department of Higher

1 Education.

2 (c) The amount of the annual scholarship awarded to each recipient  
3 shall be the lesser of \$1,000 or the annual tuition charged by the approved  
4 institution in which the recipient is enrolled; tuition shall mean the charges  
5 defined in Section 3 (e) of this act.

6 (d) The amount of the annual scholarship awarded to each recipient  
7 shall not be less than that provided for in Section 5 (c); provided that,  
8 based on analysis of the program's operation during the 1991-93 biennium with  
9 respect to the number of applicants and recipients, and based on the receipt  
10 of additional funding for this program in subsequent biennia, the Department  
11 of Higher Education shall have authority to increase the size of the award up  
12 to the maximum tuition charged at a public university in Arkansas.

13 (e) None of the scholarships awarded to students under the terms of  
14 this act are intended to replace or substitute for other forms of state-funded  
15 scholarships or grants.

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17 SECTION 6. The Department of Higher Education is authorized by this act  
18 to develop and promulgate rules and regulations for the administration of the  
19 Arkansas Academic Challenge Scholarship Program, consistent with the purposes  
20 and requirements of this act.

21 (a) The rules and regulations shall include student eligibility  
22 criteria based on the provisions of this act, the method for selecting  
23 scholarship recipients, rules for determining continuing eligibility,  
24 procedures for making payment to recipients, and such other administrative  
25 procedures which may be necessary for the implementation and operation of the  
26 program.

27 (b) The Department of Higher Education is authorized to expend each  
28 year for data processing and other administrative costs of this program up to  
29 1.5% of the amount appropriated for the programs.

30 (c) Applicants must certify that they are drug-free and must pledge in  
31 writing on the application form to refrain from the use or abuse of illegal  
32 substances in order to maintain eligibility for this program.

33 (d) The Departments of Education and Higher Education are directed to  
34 develop appropriate informational materials on the Arkansas Academic Challenge  
35 Scholarship Program for distribution to all Arkansas students in grades 7

1 through 12 each year as part of the packet of materials on precollegiate  
2 preparation distributed by the Department of Education as mandated by Act 98  
3 of 1989.

4 (e) The Director of the Department of Higher Education is authorized  
5 to review and evaluate the operation of the program with regard to eligibility  
6 criteria and size of the scholarship award to ensure that the program's  
7 operation meets the intent of this legislation.

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9 SECTION 7. All provisions of this act of a general and permanent nature  
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
11 Revision Commission shall incorporate the same in the Code.

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13 SECTION 8. If any provision of this act or the application thereof to  
14 any person or circumstance is held invalid, such invalidity shall not affect  
15 other provisions or applications of the act which can be given effect without  
16 the invalid provision or application, and to this end the provisions of this  
17 act are declared to be severable.

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19 SECTION 9. All laws or parts of laws in conflict with this act are  
20 hereby repealed.

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22 /s/Bookout, et al  
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