

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senators Chaffin and Everett**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO ESTABLISH THE 'SECOND EFFORT SCHOLARSHIP  
9 PROGRAM'; TO DESIGNATE THE DEPARTMENT OF HIGHER EDUCATION  
10 TO ADMINISTER THE PROGRAM; AND FOR OTHER PURPOSES."

11

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

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14 SECTION 1. The General Assembly hereby recognizes the importance to  
15 Arkansas of the General Education Development (GED) Program for Arkansans  
16 desiring to complete the high school degree and go on to postsecondary  
17 education. Arkansas students who complete the GED program and pass the GED  
18 test are commended for their initiative and persistence. Those who succeed in  
19 this endeavor should also be encouraged to enroll in a postsecondary education  
20 program. To that end, there is hereby established the Second Effort  
21 Scholarship Program to reward to the top ten scorers each year on the GED test  
22 with a scholarship to an Arkansas postsecondary school or college.

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24 SECTION 2. For purposes of this Act, the following terms shall be  
25 defined as indicated.

26 (a) "Approved institution" means any public or private school or  
27 college or any public postsecondary vocational-technical school located in  
28 Arkansas which awards postsecondary certificates, degrees or diplomas;  
29 further, such institution shall not discriminate against applicants, students  
30 or employees on the basis of race, color, religion, sex, age, handicap, or  
31 national origin, consistent with the provisions of applicable state and  
32 federal law.

33 (b) "Full-time undergraduate student" means a resident of Arkansas who  
34 attends a postsecondary school or college and is enrolled for at least twelve  
35 (12) credit hours per semester or the equivalent, as defined by the Department

1 of Higher Education, in a program of study which leads to a postsecondary  
2 certificate, degree or diploma.

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

6 (d) "Tuition" shall means charges levied for attendance at an eligible  
7 institution; for purposes of this Act, tuition charges shall not included any  
8 fees charged or used for student activities, including any student athletic  
9 fee.

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11 SECTION 3. Eligibility for the Second Effort Scholarship Program shall  
12 be based on the criteria set forth in this section as well as program rules  
13 and regulations adopted pursuant to this Act by the Department of Higher  
14 Education. A student shall be eligible for an award from this program if he  
15 or she meets all of these criteria:

16 (a) The recipient shall be at least 18 years of age or a former member  
17 of a high school class which has graduated.

18 (b) The recipient shall have been a resident of the state of Arkansas  
19 for at least twelve (12) months prior to successful completion of the GED  
20 test.

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

23 (d) The recipient must be accepted for admission at an approved  
24 postsecondary school or college as a full-time freshman, as defined by the  
25 Department of Higher Education, and must enroll in an approved institution in  
26 the calendar year following passage of the GED test.

27 (e) The recipient must have passed the GED test in the calendar year  
28 prior to application for the scholarship.

29 (f) The recipient must have scored in the top ten of all Arkansans who  
30 took the GED test in the calendar year prior to application for the  
31 scholarship, beginning with test-takers in 1991, as certified to the  
32 Department of Higher Education by the Office of Adult Education; provided,  
33 however, that the Department of Higher Education is authorized to award a GED  
34 scholarship to an otherwise eligible student who scored in the top 25 on the  
35 previous calendar year's GED test if all test-takers scoring above the

1 applicant on the GED test have either received a scholarship, not applied by  
2 the application deadline, or are otherwise ineligible to receive a  
3 scholarship. In no case, however, shall the Department of Higher Education  
4 award more than ten scholarships per year.

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6 SECTION 4. (a) Each recipient shall receive a scholarship for one  
7 academic year or its equivalent, as defined by the Department of Higher  
8 Education, which shall be renewable for up to three additional academic years  
9 if the recipient meets continuing eligibility criteria established by the  
10 Department of Higher Education.

11 (b) The amount of the annual scholarship shall be the lesser of \$1,000  
12 or the annual tuition charged by the approved institution in which the  
13 recipient is enrolled; tuition shall mean the charges defined in Section 2(d)  
14 of this Act.

15 (c) Scholarships shall be awarded to eligible recipients contingent on  
16 the appropriation of funds for this purpose to the Department of Higher  
17 Education.

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19 SECTION 5. (a) The Department of Higher Education is authorized by  
20 this Act to develop and promulgate rules and regulations for the  
21 administration of this program, consistent with the purposes and requirements  
22 of this Act.

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

29 (c) The Director of the Department of Higher Education is authorized to  
30 review and evaluate the operation of the program to ensure that the program's  
31 operation meets the intent of this legislation.

32 (d) Beginning in 1992, the Office of Adult Education is directed to  
33 provide to the Department of Higher Education, by February 1 each year, a  
34 certified list of the twenty-five top scorers on the GED test administered in  
35 the previous calendar year.

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

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

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

SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

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