

As Engrossed: 2/5/91 2/27/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 ***By: Representatives Lipton, Thurman, Jones, and Arnold***

A BILL ACT 362 OF 1991
HOUSE BILL 1501

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7 **For An Act To Be Entitled**

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

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

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19 SECTION 1. LEGISLATIVE FINDINGS AND DECLARATION OF PUBLIC NECESSITY.

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

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

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

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

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

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

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

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

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

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

34 (b) The recipient shall have been a resident of the state of Arkansas
 35 for at least twelve (12) months prior to graduation from an Arkansas high

1 school, and the recipient's parent(s) or guardian(s) shall have maintained
2 Arkansas residency for the same period of time.

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

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

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

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

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

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

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

32 (5) Students who meet the provisions of Sections 4 (a) through 4 (c),
33 but have not completed the precollegiate core curriculum defined in Section 4
34 (e) by the end of the senior year of high school, shall have the grace period
35 of twenty-four months, established for this purpose in Sections 4 (a) and 4

1 (d), in which to make up any course or ACT score deficiencies required for
2 program eligibility.

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

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

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

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

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

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

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

35 (c) The amount of the annual scholarship awarded to each recipient

1 shall be the lesser of \$1,000 or the annual tuition charged by the approved
2 institution in which the recipient is enrolled; tuition shall mean the charges
3 defined in Section 3 (e) of this act.

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

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

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

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

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

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

31 (d) The Departments of Education and Higher Education are directed to
32 develop appropriate informational materials on the Arkansas Academic Challenge
33 Scholarship Program for distribution to all Arkansas students in grades 7
34 through 12 each year as part of the packet of materials on precollegiate
35 preparation distributed by the Department of Education as mandated by Act 98

1 of 1989.

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

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

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

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

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/s/J. Lipton, et al

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APPROVED: 3-5-91

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