

Act 611 of the 1989 Regular Session.

Act 611

HB1246

By: Representatives Schexnayder, Pollan, Matthews,
Maddox, and Brown

"AN ACT TO ESTABLISH THE ARKANSAS OPPORTUNITY SCHOLARSHIP AND THE ARKANSAS OPPORTUNITY PARTNERSHIP PROGRAMS WHICH WILL ENCOURAGE LOW INCOME AND OTHER DISADVANTAGED STUDENTS TO REMAIN IN SCHOOL, TO GRADUATE, AND TO OVERCOME BARRIERS OF ATTITUDE AND FINANCES WHICH STAND IN THE WAY OF THEIR ATTAINING A POST-SECONDARY EDUCATION."

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

SECTION 1. TITLE. This Act shall be known and referred to as the "Arkansas Opportunity Scholarship Act."

SECTION 2. LEGISLATIVE FINDINGS AND DECLARATIONS. The legislature hereby finds that the failure of many young Arkansans to complete their secondary education limits their opportunity for a life of economic independence and productivity, prevents them from advancing into postsecondary education and hinders the state's efforts to provide a well-trained work force for business and industry.

The legislature further finds that failure of students to complete their secondary education can result in great costs to the state from lost tax revenues and from the expense of dealing with crime, drug addiction and other social ills that often correlate with low educational achievement.

The legislature further finds that programs which encourage young people to complete their secondary education and adopt postsecondary educational goals, and assure that limited family income will not be a barrier to seeking a postsecondary education can motivate students to complete high school and to pursue further education. Accordingly, the legislature hereby establishes the Opportunity Scholarship program, to provide young people the opportunity to pursue a college education upon their graduation from high school, and the Opportunity Partnership program which will foster community support for these students with specific provision for counseling and personal support services to encourage successful high school completion.

SECTION 3. OPPORTUNITY SCHOLARSHIP FUND. The Department of Higher Education shall immediately establish with appropriated funds an Opportunity Scholarship Fund. Beginning with the 1992-1993 academic year, and for each academic year thereafter, the Department of Higher Education shall, pursuant to the terms of this act and the Department of Higher Education's regulatory guidelines, award matching grants from the Opportunity Scholarship Fund to eligible students as defined in Section 4 of this chapter.

SECTION 4. ELIGIBLE STUDENTS. Opportunity Scholarships shall be awarded to persons under 24 years of age:

- (a) who have applied for this scholarship in accordance with procedures established by the Arkansas Department of Higher Education;
- (b) who live in Arkansas;
- (c) who have graduated from an accredited secondary school in Arkansas;

- (d) who have demonstrated financial need;
- (e) for whom a local matching scholarship award has been made available by a school or community foundation in compliance with the Department of Higher Education's published guidelines for the establishment and operation of these local private scholarship funds.

SECTION 5. INITIAL LIMITATION TO SCHOOL DISTRICTS WITH OPPORTUNITY PARTNERSHIP PROGRAM IN EXISTENCE PURSUANT TO THIS ACT. Notwithstanding any foregoing provision in this Act, for the first two years that Opportunity Scholarships are awarded, all of these scholarships must be awarded to eligible students who reside in a school district which participates in the Opportunity Partnership program, as established in Section 7 of this Act.

SECTION 6. AMOUNT OF SCHOLARSHIPS. The Department of Higher Education shall have the complete authority to fix the dollar value of each matching Opportunity Scholarship to be awarded. In determining the appropriate level of each award, the Department of Higher Education shall consider the individual student's financial need, the size of the local matching award relative to the local community's capacity to lend private financial support, the availability of other sources of student financial assistance, plus any additional factors deemed significant by the Department of Higher Education at the time of the award. In determining a student's financial needs, the Department of Higher Education shall take into account a student's tuition, room & board, as well as additional expenses related to enrollment and matriculation, such as books and travel. Nothing in this Act is intended to imply that an Opportunity Scholarship be a replacement or substitute for any other state educational grant or loan which the student is otherwise eligible to receive. Opportunity Scholarships are to supplement other State Educational assistance.

SECTION 7. OPPORTUNITY PARTNERSHIP PROGRAM. (a) The Department of Education shall award, from the Opportunity Scholarship Fund, grants for the purpose of providing support services to students enrolled in public schools who are identified as having a high risk of dropping out of school or otherwise failing to attain a postsecondary education. Such awards shall be made on a competitive basis to local school districts or not-for-profit community-based organizations.

(b) All Opportunity Partnership grant applications shall contain the following:

(1) a program for identifying students who are at risk of dropping out as measured by academic performance, attendance, discipline problems, and other factors affecting school performance including but not limited to teenage pregnancy or parenting, alcohol or substance abuse, residence in an unstable or temporary living arrangement, or child abuse or neglect;

(2) a program for encouraging the use of volunteers from the community to serve as mentors, tutors, and counselors for individual students who are at-risk;

(3) a program that demonstrates a significant degree of cooperation among various local leadership groups and service providers and the prospect of integrating an intensive monitoring of at-risk students with existing programs and services;

(4) a program that entails a substantial strategy for confronting the threats to academic success referred to in Subsection (b)(1) of this Section, as well as others not referred to in this Act, by the use of the Opportunity Partnership grant to establish activities

including, but not limited to, after-school tutoring, substance abuse counseling, and field trips to institutions of higher education which are designed to heighten the student's interest in postsecondary study.

(c) The Department shall establish the maximum amount which any single recipient will receive in any single year.

SECTION 8. 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 9. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 10. EMERGENCY. It is hereby found and determined by the General Assembly that large numbers of Arkansans fail to complete their secondary education and that there is a great need to encourage and support secondary and post-secondary education in Arkansas in order to help provide a well trained work force for business and industry and decrease the cost effects of many social ills that often correlate with low educational achievement. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation and protection of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: March 16, 1989
