

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/19/99

A Bill

Act 1226 of 1999
HOUSE BILL 2024

5 By: Representative White
6
7

For An Act To Be Entitled

9 "AN ACT TO CREATE THE ARKANSAS ACT ASSESSMENT
10 ASSISTANCE *PILOT* PROGRAM; AND FOR OTHER PURPOSES"

Subtitle

13 "AN ACT TO CREATE THE ARKANSAS ACT
14 ASSESSMENT ASSISTANCE *PILOT* PROGRAM. "

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

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19 SECTION 1. This act shall be known and may be cited as the "Arkansas
20 ACT Assessment Assistance *Pilot* Program Act of 1999".

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22 SECTION 2. The purpose of this act is to serve as a legislative charter
23 for the establishment, organization, and administration of a *pilot* program
24 designed to improve the academic preparation of public high school students
25 for postsecondary education throughout the state.

26
27 SECTION 3. As used in this subchapter:

28 (1) "ACT Assessment" means a test of student educational development
29 that measures student readiness for future learning produced by ACT,
30 Incorporated that may be used by an institution of higher education as a part
31 of their admissions process;

32 (2) "ACT Fee Waiver Program" means the assessment fee waiver program
33 established and administered by ACT, Incorporated;

34 (3) "Board" means the State Board of Education;

35 (4) "Department" means the Department of Education;

36 (5) "Director" means the Director of the Department of Education; and

1 (6) "Program" means the Arkansas ACT Assessment Assistance Pilot
2 Program.

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4 SECTION 4. (a) The Arkansas ACT Assessment Assistance Pilot Program is
5 hereby established, to be administered by the Director of the Department of
6 Education.

7 (b)(1) Contingent upon legislative appropriations, the state will pay a
8 share of the ACT Assessment fee not to exceed twenty-one dollars (\$21.00).

9 (2) The State Board of Education shall create a sliding scale
10 based on family income.

11 (c) The State Board of Education is authorized to promulgate rules and
12 regulations necessary to implement this subchapter, including the criteria for
13 waiving the ACT Assessment fee.

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15 SECTION 5. Every public high school student in the pilot locations who
16 is enrolled in the core curriculum established pursuant to Arkansas Code
17 Annotated 6-61-217 shall take the ACT Assessment prior to the completion of
18 the spring semester of their junior year unless their parents, guardians, or
19 persons in loco parentis request in writing that the student not participate.

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21 SECTION 6. (a) The ACT Assessment fee may be waived if a student can
22 demonstrate the payment of the fee would cause a financial hardship upon the
23 student or their family.

24 (b) To qualify for the waiver, the student and the student's parent(s),
25 guardian(s), or person(s) in loco parentis shall petition the public high
26 school principal in writing prior to the start of spring semester of the
27 student's junior year.

28 (c) Upon receipt of the request for waiver of the fee, the principal
29 shall establish a committee composed of the following school personnel to
30 evaluate and accept or reject the request for a waiver:

31 (1) The high school principal;

32 (2) The high school counselor; and

33 (3) Two (2) high school teachers.

34 (d) The committee shall meet at least thirty (30) days prior to the
35 first administration of the ACT Assessment during the spring semester to
36 review the requests and shall issue a written notice of the committee's

1 recommendation to the student and the student's parents, guardians, or persons
2 in loco parentis.

3 (e) Upon receipt of notice of denial of the waiver request, the student
4 or the student's parents, guardians, or persons in loco parentis may petition
5 the superintendent for a review of the denial.

6 (f) The written decision by the superintendent of the request for
7 review shall be considered the final decision regarding the fee waiver
8 request.

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10 SECTION 7. (a) The awards granted under the provisions of this
11 subchapter may be funded by donations, grants, or legislative appropriation.

12 (b) All donations, grants, and appropriations received shall be
13 accounted for by the department.

14 (c) The director may solicit and receive donations and grants for the
15 purpose of making awards.

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17 SECTION 8. Public high school counselors shall request a waiver of the
18 ACT assessment fee for any student for whom a waiver would be appropriate
19 based on the guidelines for waivers set forth by ACT, Incorporated.

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

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25 SECTION 10. If any provision of this act or the application thereof to
26 any person or circumstance is held invalid, such invalidity shall not affect
27 other provisions or applications of the act which can be given effect without
28 the invalid provision or application, and to this end the provisions of this
29 act are declared to be severable.

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31 SECTION 11. All laws and parts of laws in conflict with this act are
32 hereby repealed.

33 /s/ Whit

APPROVED: 4/8/1999e