

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

# A Bill

Act 508 of 1999  
SENATE BILL 450

5 By: Senators Mahony, D. Malone  
6  
7

## For An Act To Be Entitled

8 "AN ACT TO AMEND POST SECONDARY REMEDIATION FUNDING  
9 REQUIREMENTS; AND FOR OTHER PURPOSES."  
10

### Subtitle

11 "AN ACT TO AMEND POST SECONDARY  
12 REMEDIATION FUNDING REQUIREMENTS; AND  
13 FOR OTHER PURPOSES."  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code 6-1-103 is repealed.

21 ~~6-1-103. Reporting requirements.~~

22 ~~The reports of college achievement of high school graduates, as~~  
23 ~~appropriated by the Eighty-First General Assembly, shall be provided to high~~  
24 ~~school and school district administrators and may also be provided to the~~  
25 ~~State Board of Higher Education or its successor, the Governor, the Interim~~  
26 ~~Committees on Education, the Board of Education and the Department of~~  
27 ~~Education.~~

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29 SECTION 2. Arkansas Code 6-1-104 is repealed.

30 ~~6-1-104. Reporting requirements - Acts 1997, No. 1211.~~

31 ~~The reports of college achievement of high school graduates, as~~  
32 ~~appropriated by the Eighty-First General Assembly, shall be provided to high~~  
33 ~~school and school district administrators and may also be provided to the~~  
34 ~~State Board of Higher Education, the Governor, the Joint Interim Committee on~~  
35 ~~Education, the Board of Education and the Department of Education, as~~  
36 ~~designated by the Department of Education.~~

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2 SECTION 3. Arkansas Code 6-61-110(c) pertaining to testing of entering  
3 freshmen is amended to read as follows:

4 "~~(c) The State Board of Higher Education~~ Arkansas Higher Education  
5 Coordinating Board shall determine the tests to be used, the testing  
6 procedures and exemptions, and minimum scores below which students at all  
7 institutions must take remedial courses. ~~The State Board of Higher Education~~  
8 Arkansas Higher Education Coordinating Board shall based these decisions on  
9 consultation with representatives of the institutions of higher education,  
10 analysis of the placement procedures presently used by institutions in  
11 Arkansas, statewide placement testing programs in other states, and pilot  
12 projects involving testing of entering freshmen at selected institutions in  
13 Arkansas."

14  
15 SECTION 4. Arkansas Code 6-61-221 is amended to read as follows.

16 "~~6-61-221. Reporting of graduates requiring postsecondary remediation.~~

17 (a) The Department of Higher Education shall have the authority to  
18 collect from the public institutions of higher education in the state such  
19 information as may be necessary to prepare reports of college achievement of  
20 high school graduates.

21 (b) The Department of Higher Education shall have the authority to  
22 contract with appropriate organizations for the preparation of such reports,  
23 contingent upon the availability of funds.

24 ~~(a) (c) Beginning with the 1993-1994 school year, the~~ The Department of  
25 Higher Education shall notify during each semester of the school year and the  
26 Office of Accountability of the Department of Education and each public school  
27 district of shall work together to develop a compatible system of reporting  
28 the number of students, who during their first year of enrollment in a public  
29 institution of higher education in this state, which occurred within three (3)  
30 two (2) years of graduation from a secondary school in this state, required  
31 remediation in the public institution of higher education.

32 ~~(b) (d) Within thirty (30) days of receipt of the report, the~~ The  
33 public school districts shall work with the Department of Higher Education and  
34 the Office of Accountability of the Department of Education to develop a  
35 compatible system of reporting report to the Office of Accountability of the  
36 Department of Education the number of students who were reported as requiring

1 remediation who graduated with a 3.00 or higher grade point average on a 4.00  
 2 scale and who had graduated from a program of the minimum core of high school  
 3 courses recommended for preparation for postsecondary education as recommended  
 4 by the ~~State Board of Higher Education~~ Arkansas Higher Education Coordinating  
 5 Board and State Board of Education pursuant to § 6-61-217.

6 (e) The reports developed pursuant this section shall be provided to  
 7 each public high school and school district administrators by the Department  
 8 of Education, and the Department of Higher Education shall provide the reports  
 9 to the Department of Education and the Department of Workforce Education and  
 10 may also provide the reports to the Arkansas Higher Education Coordinating  
 11 Board, the Governor, the Joint Interim Committee on Education, and the Board  
 12 of Education.

13 (f) The compilation report generated by the Department of Higher  
 14 Education shall not include individual student information if the information  
 15 is reported in a manner which would identify a particular student. Any  
 16 information gathered which identifies a particular student shall be  
 17 confidential."

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 19 SECTION 5. Arkansas Code 6-62-107 is amended to read as follows:

20 "6-62-107. Reduction of state funds expended on remediation.

21 ~~(a)(1)~~—As a condition for receiving state funds, all public two-year  
 22 and four-year institutions of higher education shall, in a format developed by  
 23 the Department of Higher Education in consultation with the public two-year  
 24 and four-year institutions of higher education, report the following  
 25 information by October 1 of each year to the department:

26 ~~(A)(1)~~ The total direct and indirect costs of remediation for the  
 27 previous academic year; and

28 ~~(B)(2)~~ All sources of revenue, by amount and source, used to fund  
 29 direct and indirect costs of all remedial courses and programs.

30 ~~(2)~~ ~~The first report for the 1992-1993 and 1993-1994 academic~~  
 31 ~~years must be provided to the Department of Higher Education by November 1,~~  
 32 ~~1994.~~

33 ~~(b)~~ ~~Beginning with the 1994 fall semester, a public four year~~  
 34 ~~institution of higher education in Arkansas may spend no more for remediation~~  
 35 ~~of students twenty-one (21) years of age and younger than the amount of state~~  
 36 ~~funds expended by the institution on remediation during the 1992-1993 academic~~

1 ~~years.~~ The Department of Higher Education shall develop a system to calculate  
2 the total amount of state funds spent on remediation of first time entering  
3 freshmen students. The amount spent on remediation at public four-year  
4 educational institutions shall not exceed the amount spent as of the 1996-1997  
5 school year.

6 ~~(c) By April 30, 1994, the State Board of Higher Education shall~~  
7 ~~develop a plan consistent with the mission of each institution providing for~~  
8 ~~an orderly reduction of state funds expended on the remediation of students~~  
9 ~~twenty-one (21) years of age and younger enrolled at public four-year~~  
10 ~~institutions of higher education, which may be accomplished by an orderly~~  
11 ~~reduction of students requiring remediation.~~

12 ~~(d) The State Board of Higher Education shall report to the House and~~  
13 ~~Senate Interim Committees on Education any failure of an institution to comply~~  
14 ~~with the provisions of this section."~~

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16 SECTION 6. All provisions of this act of a general and permanent nature  
17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
18 Revision Commission shall incorporate the same in the Code.

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20 SECTION 7. If any provision of this act or the application thereof to  
21 any person or circumstance is held invalid, such invalidity shall not affect  
22 other provisions or applications of the act which can be given effect without  
23 the invalid provision or application, and to this end the provisions of this  
24 act are declared to be severable.

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26 SECTION 8. All laws and parts of laws in conflict with this act are  
27 hereby repealed.

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30 APPROVED: 3/9/1999