

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4
5 By: Senator D. Johnson

A Bill

SENATE BILL 1038

For An Act To Be Entitled

8 AN ACT TO CLARIFY THAT ACCREDITATION IN ARKANSAS IS
9 DONE BY AN ACCREDITING AGENCY RECOGNIZED BY THE
10 UNITED STATES DEPARTMENT OF EDUCATION; AND FOR OTHER
11 PURPOSES.

Subtitle

15 TO CLARIFY THAT ACCREDITATION IN ARKANSAS
16 IS DONE BY AN ACCREDITING AGENCY
17 RECOGNIZED BY THE UNITED STATES
18 DEPARTMENT OF EDUCATION.

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

23 SECTION 1. Arkansas Code § 6-51-905(d)(2), concerning technical
24 institutes, is amended to read as follows:

25 (2) Those degrees offered at a technical institute must be
26 awarded by an Arkansas higher education institution accredited by ~~the Higher~~
27 ~~Learning Commission~~ an accrediting agency recognized by the federal
28 Department of Education.

30 SECTION 2. Arkansas Code § 6-51-906(c)(3)(A), concerning comprehensive
31 lifelong learning centers, is amended to read as follows:

32 (A) Any degree program at or above the associate degree
33 level offered at a comprehensive lifelong learning center must be approved by
34 the Arkansas Higher Education Coordinating Board and awarded by an Arkansas
35 institution of higher education accredited by ~~the Higher Learning Commission~~
36 an accrediting agency recognized by the federal Department of Education.



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2 SECTION 3. Arkansas Code § 6-51-907(d)(1), concerning expanded
3 associate degree instruction, is amended to read as follows:

4 (d)(1) The associate degree programs to be offered at the center shall
5 be developed by participating institutions and shall meet all the standards
6 for accreditation by ~~the Higher Learning Commission~~ an accrediting agency
7 recognized by the federal Department of Education.

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9 SECTION 4. Arkansas Code § 6-53-209 is amended to read as follows:
10 6-53-209. Interim accreditation and governance.

11 (a) The Arkansas Higher Education Coordinating Board ~~is hereby~~
12 ~~authorized to~~ may act as the legal entity, governing board, and receiver of
13 all property for any institution not accredited by ~~the Higher Learning~~
14 ~~Commission~~ an accrediting agency recognized by the federal Department of
15 Education and seeking merger or consolidation with an existing institution of
16 higher education during the interim period when approval of institutional
17 change from ~~the commission~~ an accrediting agency recognized by the federal
18 Department of Education is being sought.

19 (b) Upon approval by ~~the commission~~ an accrediting agency recognized by
20 the federal Department of Education, all records, personnel, property,
21 unexpended balances, and all legal authority shall pass from the Arkansas
22 Higher Education Coordinating Board to the legal entity governing the newly
23 merged or consolidated institution.

24 (c) The Arkansas Higher Education Coordinating Board ~~is hereby~~
25 ~~authorized to~~ may provide accreditation for a period of up to six (6) years
26 to ~~any~~ an institution governed by the Arkansas Higher Education Coordinating
27 Board.

28 (d)(1) ~~Until such time as~~ the Arkansas Higher Education Coordinating
29 Board approves associate of applied science degrees for the institutions
30 identified in § 6-53-301(a), no change in the educational mission of those
31 institutions is intended or authorized by this chapter.

32 (2) ~~Therefore, the~~ The State Board of Career Education ~~must~~
33 shall show cause why accreditation of ~~those~~ an institutions should not be
34 continued and, ~~further, must~~ provide twelve (12) months' notice of any action
35 to withdraw ~~its~~ accreditation of ~~those~~ an institutions.

36 (e) ~~Any~~ A postsecondary vocational-technical school other than those

1 listed in §§ 6-53-301 and 6-53-404 ~~which~~ that receives approval from the
 2 state board and the General Assembly to begin the process of consolidation or
 3 merger with an existing institution of higher education shall be governed by
 4 the Arkansas Higher Education Coordinating Board ~~in accordance with the~~ under
 5 ~~provisions of~~ this section and § 6-53-302(g)(f), (h), and (i) pending
 6 approval of the merger or consolidation from ~~the commission~~ an accrediting
 7 agency recognized by the federal Department of Education.

8 (f) ~~Should any~~ If a consolidation plan ~~fail to be~~ is not approved by
 9 ~~the commission~~ an accrediting agency recognized by the federal Department of
 10 Education, ~~the provision of~~ § 6-53-301(f) shall apply to the postsecondary
 11 vocational-technical school or technical college seeking merger or
 12 consolidation with an institution of higher education.

13
 14 SECTION 5. Arkansas Code § 6-53-401 is amended to read as follows:

15 6-53-401. Coordination with institutional boards of trustees.

16 ~~All future mergers or consolidations~~ A merger or consolidation of a
 17 state-supported postsecondary vocational-technical ~~institutions~~ institution
 18 with an existing community ~~colleges~~ college, with a branch ~~campuses~~ campus of
 19 a four-year ~~institutions~~ institution, or with a four-year ~~institutions~~
 20 institution, ~~shall be~~ is subject to the approval of the board of trustees of
 21 the institution, the Arkansas Higher Education Coordinating Board, and the
 22 ~~Higher Learning Commission~~ accrediting agency recognized by the federal
 23 Department of Education.

24
 25 SECTION 6. Arkansas Code § 6-53-402(b), concerning technical colleges,
 26 is amended to read as follows:

27 (b) Upon approval by the board and ~~the Higher Learning Commission~~ an
 28 accrediting agency recognized by the federal Department of Education and upon
 29 assignment of a service area for the institution, the two-year branch campus
 30 shall be known as a technical college.

31
 32 SECTION 7. Arkansas Code § 6-53-402(g)(1), concerning technical
 33 colleges, is amended to read as follows:

34 (g)(1) ~~Any~~ A technical college established under this section ~~which~~
 35 that fails to achieve higher education institutional accreditation from ~~the~~
 36 ~~commission~~ an accrediting agency recognized by the federal Department of

1 Education within eight (8) years following the date of conversion shall be
2 abolished by the state board.

3
4 SECTION 8. Arkansas Code § 6-53-402(h)(2), concerning technical
5 colleges, is amended to read as follows:

6 (2) The local board of any state-supported postsecondary
7 institution and the board of a community college located within the same
8 county, upon passage of a resolution by each board and with the approval by
9 the state board and ~~the commission~~ an accrediting agency recognized by the
10 federal Department of Education, may merge the state-supported postsecondary
11 institution with the community college.

12
13 SECTION 9. Arkansas Code § 6-53-405(a), concerning consolidations, is
14 amended to read as follows:

15 (a)(1) As provided in this chapter or upon approval of the State Board
16 of Career Education, the board of trustees of the receiving institution, the
17 Arkansas Higher Education Coordinating Board, and ~~the Higher Learning~~
18 ~~Commission~~ an accrediting agency recognized by the federal Department of
19 Education ~~thereafter~~, the board may consolidate a state-supported
20 vocational-technical institution with a four-year institution or a two-year
21 branch campus of a four-year institution.

22 (2) Following approval by ~~the commission~~ an accrediting agency
23 recognized by the federal Department of Education, the board, upon approval
24 of the board of trustees of the receiving institution, shall consolidate the
25 following state-supported vocational-technical institutions and four-year
26 institutions or two-year branch campuses of a four-year institution: White
27 River Vocational-Technical School with Arkansas State University-Beebe.

28
29 SECTION 10. Arkansas Code § 6-54-104(b), concerning administration of
30 the College of the Ouachitas, is amended to read as follows:

31 (b) The technical college shall work to achieve higher education
32 institutional accreditation from ~~the Higher Learning Commission~~ an
33 accrediting agency recognized by the federal Department of Education.

34
35 SECTION 11. Arkansas Code § 6-61-127(b), concerning the Arkansas
36 Higher Education Performance Reporting System, is amended to read as follows:

1 “(b) To the extent possible, the Arkansas Higher Education Performance
2 Reporting System will utilize information from ~~the North Central Association~~
3 ~~of Colleges and Schools~~ an accrediting agency recognized by the federal
4 Department of Education’s assessment outcomes measures which are required for
5 reaffirmation of accreditation, federal Integrated Postsecondary Education
6 Data System report data, and data collected annually through the
7 ~~department’s~~ Department of Higher Education’s Statewide Information System.

8
9 SECTION 12. Arkansas Code § 6-82-1702(1)(A)(ii), concerning the Higher
10 Education Opportunities Grant Program, is amended to read as follows:

11 (ii) Certifies to the Department of Higher Education
12 that its students are accepted for transfer at institutions accredited by ~~the~~
13 ~~Higher Learning Commission of the North Central Association of Colleges and~~
14 ~~Schools~~ an accrediting agency recognized by the federal Department of
15 Education.

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17 SECTION 13. Arkansas Code § 12-62-602(1), concerning the Arkansas
18 National Guard Tuition Incentive Program, is amended to read as follows:

19 (1) “Approved institution” means an Arkansas public or private
20 postsecondary institution that is accredited or has achieved candidacy status
21 from ~~the Higher Learning Commission of the North Central Association of~~
22 ~~Colleges and Schools~~ an accrediting agency recognized by the federal
23 Department of Education or is a technical institute or comprehensive lifelong
24 learning center under the supervision of the Department of Career Education;
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26 SECTION 14. Arkansas Code § 27-24-1001(2), concerning special license
27 plates, is amended to read as follows:

28 (2) Authorize a special license plate for the Arkansas School for
29 the Deaf, which is accredited by ~~the Higher Learning Commission of the North~~
30 ~~Central Association of Colleges and Schools~~ an accrediting agency recognized
31 by the federal Department of Education and has students up to twenty-one (21)
32 years of age.

33
34 SECTION 15. Arkansas Code § 27-24-1002(3) and (4), concerning special
35 license plates, are amended to read as follows:

36 (3) Is accredited by ~~the Higher Learning Commission of the North~~

1 ~~Central Association of Colleges and Schools~~ an accrediting agency recognized
2 by the federal Department of Education;

3 (4) Certifies to the Department of Higher Education that its
4 students are accepted for transfer at institutions accredited by ~~the~~
5 ~~commission~~ an accrediting agency recognized by the federal Department of
6 Education; and

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8 SECTION 16. Arkansas Code § 27-24-1102(3) and (4), concerning special
9 license plates, are amended to read as follows:

10 (3) Is accredited by ~~the Higher Learning Commission of the North~~
11 ~~Central Association of Colleges and Schools~~ an accrediting agency recognized
12 by the federal Department of Education;

13 (4) Certifies to the Department of Higher Education that its
14 students are accepted for transfer at institutions accredited by ~~the Higher~~
15 ~~Learning Commission of the North Central Association of Colleges and Schools~~
16 an accrediting agency recognized by the federal Department of Education; and

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