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4

As Engrossed: H2/8/17

A Bill

HOUSE BILL 1426

5 By: Representatives Della Rosa, Beck, Cavanaugh, Dotson, C. Douglas, Eubanks, Fortner, Holcomb,
6 Hollowell, Lowery, Lundstrum, Lynch, Penzo, Warren, J. Williams, Wing
7 By: Senator B. Johnson
8

For An Act To Be Entitled

10 AN ACT TO CREATE THE ARKANSAS FUTURE GRANT PROGRAM;
11 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO CREATE THE ARKANSAS FUTURE GRANT
16 PROGRAM; AND TO DECLARE AN EMERGENCY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code Title 6, Chapter 82, is amended to add an
22 additional subchapter to read as follows:

23 Subchapter 18 – Arkansas Future Grant Program
24

25 6-82-1801. Definitions.

26 As used in this subchapter:

27 (1) "Approved institution of higher education" means an
28 institution of higher education approved by the Department of Higher
29 Education to participate in the Arkansas Future Grant Program and that is:

30 (A) A state-supported two-year or four-year college or
31 university;

32 (B) A state-supported technical institute; or

33 (C) An approved state-supported school of nursing;

34 (2) "Approved state-supported school of nursing" means a state-
35 supported school of nursing with its primary headquarters located in Arkansas
36 that:



1 (A) Prepares students as registered nurses;
2 (B) Grants nursing diplomas;
3 (C) Is eligible to participate in the federal student aid
4 programs of the Higher Education Act of 1965, 20 U.S.C. § 1070 et seq.;

5 (D) Is approved by the Arkansas State Board of Nursing;
6 (E) Has been approved by the Department of Higher
7 Education as eligible to participate in the Arkansas Future Grant Program;
8 and

9 (F) Is not a two-year or four-year college or university;
10 (3) "Federal student financial assistance" means scholarships or
11 grants awarded to a student as a result of:

12 (A) An approved Free Application for Federal Student Aid,
13 including without limitation a Pell Grant; or

14 (B) The student's or other family member's service in the
15 United States Armed Forces, including without limitation the Army National
16 Guard or Air National Guard;

17 (4) "Private scholarship" means a scholarship or grant awarded
18 by a private entity or donor; and

19 (5) "State-supported student financial assistance" means a
20 state-supported scholarship, grant, tuition waiver, or tuition reimbursement
21 funded with state funds or net proceeds from the state lottery awarded by:

22 (A) The Department of Higher Education; or

23 (B) A scholarship or grant awarded by an approved
24 institution of higher education in this state funded, in whole or in part, by
25 state funds, including without limitation:

26 (i) Scholarships awarded on the basis of entrance
27 exam scores or high school academic achievement;

28 (ii) Tuition waivers based on age, military service,
29 occupation, or other factors;

30 (iii) Performance scholarships for band, musical
31 performing groups, arts, theater, forensics, and similar activities that are
32 not awarded on the basis of entrance exam scores or high school academic
33 achievement; and

34 (iv) Any other publicly funded program under which
35 students are not charged or are reimbursed by the approved institution of
36 higher education for tuition, fees, books, or other costs of attendance.

1
2 6-82-1802. Establishment – Eligibility.

3 (a) There is established the Arkansas Future Grant Program within the
4 Department of Higher Education.

5 (b) A student is eligible for an Arkansas Future Grant if the student
6 is an Arkansas resident who:

7 (1) Meets one (1) of the following requirements:

8 (A) Has either:

9 (i) Graduated from an Arkansas:

10 (a) Public high school;

11 (b) Private high school; or

12 (c) Home school under § 6-15-501 et seq.; or

13 (ii) Received a high school equivalency diploma
14 approved by the Department of Career Education; or

15 (B) Verifies that he or she has resided in Arkansas for
16 the three (3) years immediately preceding application for the grant and has
17 either:

18 (i) Graduated from an out-of-state:

19 (a) Public high school;

20 (b) Private high school; or

21 (c) Home school recognized by another state;

22 or

23 (ii) Received a high school equivalency diploma
24 approved by another state;

25 (2) Is enrolled part-time or full-time at an approved
26 institution of higher education in a program of study that leads to an
27 associate degree or a certification in a:

28 (A) Science, technology, engineering, or mathematics
29 field, including computer science; or

30 (B) Regional high-demand field; and

31 (3) Has completed and submitted to the United States Department
32 of Education a Free Application for Federal Student Aid or a subsequent
33 application required by the United States Department of Education for federal
34 financial aid.

35 (c) A student may continue to be eligible until the student has:

36 (1) Received the grant for five (5) academic semesters;

1 (2) Obtained an associate degree;

2 (3) Failed to maintain satisfactory academic progress, as
3 determined by the approved institution of higher education in which the
4 student is enrolled; or

5 (4) Failed to complete the mentoring or community service
6 requirements under § 6-82-1804.

7
8 6-82-1803. Arkansas Future Grant.

9 (a)(1) An Arkansas Future Grant shall be in an amount equal to the
10 tuition, fees, and other charges incurred by a student who meets the
11 requirements under § 6-82-1802 to attend an approved institution of higher
12 education less the amount the student receives in:

13 (A) State-supported student financial assistance;

14 (B) Federal student financial assistance; and

15 (C) Private scholarships.

16 (2) If the approved institution of higher education in which the
17 student is enrolled is a four-year institution of higher education, the total
18 amount of tuition, fees, and other charges under subdivision (a)(1) of this
19 section shall be calculated as the average cost of tuition, fees, and other
20 charges at approved institutions of higher education that are two-year
21 institutions of higher education.

22 (b) The Department of Higher Education shall disburse the grant
23 directly to the approved institution of higher education.

24 (c) The department shall award grants under this subchapter in the
25 order in which the department receives applications from eligible students.

26
27 6-82-1804. Recipients.

28 (a) A student who receives an Arkansas Future Grant shall enter into a
29 written agreement with the Department of Higher Education to:

30 (1)(A) Receive monthly mentoring from a mentor from an
31 organization determined by the Department of Higher Education.

32 (B) A mentor under subdivision (a)(1)(A) of this section
33 shall:

34 (i) Receive annual mentoring training:

35 (a) Developed by the Department of Higher
36 Education; and

1 (b) Provided by a local volunteer group
2 approved by the Department of Higher Education; and

3 (ii) Certify to the Department of Higher Education
4 that at least one (1) time each calendar month the mentor has provided
5 mentoring services by telephone, email, or in person to each student he or
6 she is mentoring;

7 (2)(A) Complete at least fifteen (15) hours of community service
8 each semester the student receives a grant.

9 (B)(i) A student may select a community service project
10 that meets requirements developed by the Department of Higher Education.

11 (ii) An approved institution of higher education may
12 provide community services opportunities designed to benefit the approved
13 institution of higher education community or the broader local community.

14 (C) A student shall certify his or her community service
15 to the approved institution of higher education by the last regular day of
16 the semester the student received the grant; and

17 (3)(A) Reside in this state for three consecutive (3) years and
18 be employed beginning within six (6) months after receiving an associate
19 degree or a certification.

20 (B) The Department of Higher Education may defer the
21 requirement under subdivision (a)(3)(A) of this section if:

22 (i) The Department of Higher Education, in
23 consultation with the Department of Workforce Services, determines that there
24 was no employment position available that would reasonably enable the student
25 to meet this requirement; or

26 (ii) Special circumstances as determined by the
27 Department of Higher Education exist.

28 (C) After the period of deferral, the student shall begin
29 or resume working in this state or become subject to repayment under
30 subsection (b) of this section.

31 (b) The written agreement under subsection (a) of this section shall
32 provide that the grant converts into a loan and the student shall repay the
33 grant amount:

34 (1) On a pro rata basis at an interest rate and on a schedule as
35 determined by the Department of Higher Education for each year the student
36 does not reside in this state for three (3) consecutive years and become

1 employed beginning within six (6) months after receiving an associate degree
2 or a certification; or

3 (2) In its entirety at an interest rate and on a schedule as
4 determined by the Department of Higher Education if the recipient does not
5 comply with the written agreement under subsection (a) of this section.

6
7 6-82-1805. Rules.

8 The Department of Higher Education shall promulgate rules to implement
9 this subchapter.

10
11 SECTION 2. Arkansas Code §§ 6-82-1601 – 6-82-1610 are repealed.

12 ~~Subchapter 16—Arkansas Workforce Improvement Grant Program~~

13
14 ~~6-82-1601. Legislative findings and intent—Purpose of subchapter.~~

15 ~~(a)(1) The General Assembly, giving due consideration to the~~
16 ~~historical and continuing interest of the people of Arkansas in encouraging~~
17 ~~able and deserving students to realize their aspirations for postsecondary~~
18 ~~education, finds and declares that postsecondary education for residents of~~
19 ~~this state who desire an education and are properly qualified therefor is~~
20 ~~important to the welfare and security of this state and nation and~~
21 ~~consequently is an important public service.~~

22 ~~(2) The General Assembly finds and declares that the state can~~
23 ~~achieve its full economic and social potential only if every individual has~~
24 ~~the opportunity to contribute to the full extent of his or her capabilities~~
25 ~~and only when financial barriers to his or her economic, social, and~~
26 ~~educational goals are removed.~~

27 ~~(b)(1) The General Assembly recognizes the importance that Arkansans~~
28 ~~of all ages continue to pursue educational opportunities.~~

29 ~~(2) Arkansans who desire to pursue educational enrichment and to~~
30 ~~improve present skills but who may be unable to attend postsecondary~~
31 ~~educational institutions in the traditional manner are commended for their~~
32 ~~initiative and persistence.~~

33 ~~(c) It is the intent of this legislation to provide financial support~~
34 ~~to adult students who are unlikely to receive meaningful financial aid from~~
35 ~~traditional state or federal financial aid programs and to enhance the~~
36 ~~education of the current work force in Arkansas.~~

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~~6-82-1602. Definitions.~~

~~As used in this subchapter, unless the context otherwise requires:~~

~~(1) "Approved institution" means a public supported or private, non-profit postsecondary institution with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds or any nursing school with its primary headquarters located in Arkansas that is eligible to participate in Title IV federal student aid programs;~~

~~(2) "Arkansas Workforce Improvement Grant" means the amount of money paid by the State of Arkansas to a qualified applicant under this subchapter;~~

~~(3) "Credit certificate" means certificate programs that are taken for credit;~~

~~(4) "Department" means the Department of Higher Education;~~

~~(5) "Eligible student" means any student who meets the criteria set out in this subchapter and who is eligible by rules and regulations authorized by this subchapter and promulgated by the Arkansas Higher Education Coordinating Board;~~

~~(6)(A) "Financial need" means the difference between the student's financial resources available as determined by the department and the student's total educational expenses, including tuition, mandatory fees, and board and room while attending an approved private or public institution of postsecondary education.~~

~~(B) In determining need, the department shall employ a formula of or a formula similar to a nationally recognized comprehensive mechanism for determining need;~~

~~(7) "Full-time student" means an individual resident of Arkansas as defined by the department who:~~

~~(A) Is a student at an approved private or public institution in a course of study leading to an associate's or bachelor's degree or completion of an occupational training program; and~~

~~(B) Is enrolled in at least twelve (12) semester hours or some other reasonable academic equivalent as defined by the department;~~

~~(8) "Program" means the Arkansas Workforce Improvement Grant Program;~~

~~(9) "Qualified student" means a student who meets eligibility~~

1 ~~criteria and financial need as determined by the department and who has~~
2 ~~demonstrated that an Arkansas Workforce Improvement Grant is warranted; and~~
3 ~~(10) "Tuition" means charges levied for attendance at an~~
4 ~~approved institution, including mandatory fees.~~

5
6 ~~6-82-1603. Program established.~~

7 ~~There is established the Arkansas Workforce Improvement Grant Program~~
8 ~~to provide grants to residents of the State of Arkansas who:~~

9 ~~(1) Are admitted to and in attendance as students at approved~~
10 ~~private or public institutions of postsecondary education in this state; and~~

11 ~~(2) Establish academic ability and financial need as provided in~~
12 ~~this subchapter.~~

13
14 ~~6-82-1604. Administration—Authority of Department of Higher~~
15 ~~Education.~~

16 ~~The Department of Higher Education shall administer the Arkansas~~
17 ~~Workforce Improvement Grant Program provided for in this subchapter and in so~~
18 ~~doing shall have the following authority and responsibility with respect to~~
19 ~~the program:~~

20 ~~(1) To consider all applications for an Arkansas Workforce~~
21 ~~Improvement Grant;~~

22 ~~(2) To prepare application forms and other forms as it shall~~
23 ~~deem necessary to properly administer and carry out the purposes of this~~
24 ~~subchapter and to furnish the forms to persons desiring to make application~~
25 ~~for a grant;~~

26 ~~(3)(A) To determine the necessary procedures for the awarding of~~
27 ~~grants should the number of eligible applicants exceed funds available,~~
28 ~~giving priority to those students who exhibit financial need and who meet~~
29 ~~academic eligibility requirements.~~

30 ~~(B) To identify those students who exhibit financial need,~~
31 ~~the department shall utilize the family contribution method or another~~
32 ~~acceptable approved methodology;~~

33 ~~(4) To determine a termination date for the acceptance of~~
34 ~~applications;~~

35 ~~(5) To require applicants to file such additional information~~
36 ~~with the department as it may deem necessary and appropriate to carry out the~~

1 ~~purposes of this subchapter and to prevent fraud or misrepresentation or~~
2 ~~misleading representation by applicants;~~

3 ~~(6) To disburse grants to qualified students;~~

4 ~~(7) To adopt rules and regulations as the department deems~~
5 ~~necessary or appropriate to carry out the purposes of this subchapter;~~

6 ~~(8) To cooperate with and receive the cooperation of the~~
7 ~~approved private and public institutions of postsecondary education in the~~
8 ~~state and their governing bodies in the administration of the program;~~

9 ~~(9) To establish and consult as necessary an advisory committee~~
10 ~~representing the private and public sectors of postsecondary education in~~
11 ~~determining guidelines and regulations for administration of the program,~~
12 ~~including, but not limited to, rules determining academic ability, financial~~
13 ~~need, and residency;~~

14 ~~(10) To employ or engage such professional, administrative,~~
15 ~~clerical, and other employees as may be necessary to assist the department in~~
16 ~~the performance of its duties and responsibilities;~~

17 ~~(11) To provide fair and equitable treatment to all approved~~
18 ~~institutions and students; and~~

19 ~~(12) To approve a scholarship hold for a student for a period of~~
20 ~~twenty-four (24) months or less for the following reasons without limitation:~~

21 ~~(A) A medical condition of the student or of a member of~~
22 ~~the student's immediate family that, on the basis of a physician's good faith~~
23 ~~judgment, necessitates that the student or the student's immediate family~~
24 ~~member be hospitalized or receive outpatient or home-based medical care or~~
25 ~~recuperate until released by the attending physician;~~

26 ~~(B) A personal or family emergency that requires the~~
27 ~~student to:~~

28 ~~(i) Attend the funeral of an immediate family~~
29 ~~member; or~~

30 ~~(ii) Visit a relative of the student if the relative~~
31 ~~has a medical condition in which death is possible or imminent;~~

32 ~~(C) Military service under § 6-61-112; or~~

33 ~~(D)(i) A commitment of twelve (12) to twenty-four (24)~~
34 ~~months for service in a national or international humanitarian project~~
35 ~~sponsored by a nonprofit corporation organized with a charitable or~~
36 ~~educational purpose.~~

1 ~~(ii) The student's commitment shall be expressed in~~
2 ~~a written agreement with the nonprofit organization, including the terms of~~
3 ~~completion for the student's service on the related project.~~

4 ~~(iii) The department shall release a scholarship~~
5 ~~hold if the department determines that the student did not complete the~~
6 ~~commitment under the written agreement.~~

7
8 ~~6-82-1605. Eligibility.~~

9 ~~A qualified student shall be eligible for an initial or renewed state~~
10 ~~Arkansas Workforce Improvement Grant only if the student:~~

11 ~~(1) Is a citizen of the United States or a permanent resident~~
12 ~~alien;~~

13 ~~(2) Is a resident of the State of Arkansas as determined by the~~
14 ~~Department of Higher Education for at least six (6) months immediately~~
15 ~~preceding the date on which the student applies;~~

16 ~~(3) Is accepted for admission at an approved institution of~~
17 ~~postsecondary education of his or her choice to pursue a baccalaureate~~
18 ~~degree, an associate degree, or a credit certificate;~~

19 ~~(4) Is enrolled in no fewer than three (3) credit hours or the~~
20 ~~equivalent as of the eleventh day of class at an approved institution that~~
21 ~~the department has determined to be eligible to participate in the Arkansas~~
22 ~~Workforce Improvement Grant Program;~~

23 ~~(5)(A) As an initial first-year student, meets satisfactory~~
24 ~~academic progress standards required to receive other financial aid at the~~
25 ~~institution to be attended as determined by the rules and regulations of the~~
26 ~~department.~~

27 ~~(B) After the initial first year, the student meets~~
28 ~~satisfactory academic progress standards of the institution attended;~~

29 ~~(6) Has not earned a baccalaureate degree;~~

30 ~~(7) Does not owe a refund on a Pell Grant, Federal Supplemental~~
31 ~~Educational Opportunity Grant, or State Student Incentive Grant award or is~~
32 ~~not in default on a National Defense/Direct Student Loan, Federal Perkins~~
33 ~~Loan, Stafford Loan, a supplemental educational loan, Parent Loan for~~
34 ~~Undergraduate Students, Income Contingent Loan, William D. Ford Federal~~
35 ~~Direct Loan, or a consolidated loan under the Federal Direct Student Loan~~
36 ~~Program;~~

1 ~~(8) Has not borrowed, as determined by the institution to be~~
2 ~~attended, in excess of the annual loan limits under the Federal Family~~
3 ~~Education Loan Program, William D. Ford Federal Direct Loan Program, Income~~
4 ~~Contingent Loan Demonstration Program, Stafford Loan Program, Parent Loan for~~
5 ~~Undergraduate Students Program, or a supplemental educational loan in the~~
6 ~~same academic year for which the student has applied for assistance under the~~
7 ~~Arkansas Workforce Improvement Grant Program and has not borrowed in excess~~
8 ~~of the aggregate maximum loan limits under the Arkansas Workforce Improvement~~
9 ~~Grant Program;~~

10 ~~(9) Is twenty four (24) years of age or older on or before the~~
11 ~~first day of the semester or summer sessions in which the grant has been~~
12 ~~awarded; and~~

13 ~~(10) Either:~~

14 ~~(A)(i) Graduated from high school or passed a high school~~
15 ~~equivalency test; and~~

16 ~~(ii) Meets the ability to benefit criteria as~~
17 ~~defined by federal regulations in existence on January 1, 2003; or~~

18 ~~(B) Enrolls in a combined general education development~~
19 ~~program and postsecondary credential program.~~

20
21 ~~6-82-1606. Qualified student entitled to grant.~~

22 ~~A qualified student who is enrolled or has been accepted for enrollment~~
23 ~~at an approved private or public institution and who meets other eligibility~~
24 ~~criteria shall be entitled to a Workforce Improvement Grant based on academic~~
25 ~~ability and financial need as determined by the Department of Higher~~
26 ~~Education.~~

27
28 ~~6-82-1607. Duties of applicant for grant.~~

29 ~~In accordance with the provisions of this subchapter and the rules and~~
30 ~~regulations of the Department of Higher Education adopted pursuant to this~~
31 ~~subchapter, each applicant shall:~~

32 ~~(1) Complete and file with the department either directly or~~
33 ~~through a service recognized by the department the appropriate application~~
34 ~~for an Arkansas Workforce Improvement Grant and other information and data as~~
35 ~~may be requested by the department for its use and consideration in~~
36 ~~determining the eligibility of the applicant; and~~

1 ~~(2) Promptly furnish to the department information regarding any~~
2 ~~other financial aid received, any change in the financial status of the~~
3 ~~applicant, and any other information that might have a direct bearing on the~~
4 ~~eligibility of the applicant for assistance under this subchapter.~~

5
6 ~~6-82-1608. Amounts of grants.~~

7 ~~(a) Each person awarded an Arkansas Workforce Improvement Grant shall~~
8 ~~receive the grant for one (1) academic year or its equivalent for part-time~~
9 ~~students as defined by the Department of Higher Education.~~

10 ~~(b) The grant may be renewable for up to three (3) academic years or~~
11 ~~the equivalent for part-time students if the person applies and meets~~
12 ~~continuing eligibility criteria established by the department.~~

13 ~~(c)(1) The amount of the annual grant for full-time students shall not~~
14 ~~exceed the lesser of two thousand dollars (\$2,000) per academic year or the~~
15 ~~cost of tuition at the institution.~~

16 ~~(2) The amount of the annual grant for part-time students shall~~
17 ~~be prorated on the basis of the number of credit hours enrolled each term not~~
18 ~~to exceed the lesser of two thousand dollars (\$2,000) or the cost of tuition~~
19 ~~at the institution per academic year.~~

20 ~~(3) The maximum total grant shall be eight thousand dollars~~
21 ~~(\$8,000).~~

22 ~~(4) The amount of any award under subdivisions (c)(1) or (2) of~~
23 ~~this section shall be reduced by the amount of any Pell Grant received by the~~
24 ~~student for the academic year.~~

25 ~~(d) The enrollment hours shall be determined on the eleventh class day~~
26 ~~or the official department counting day.~~

27 ~~(e) The department may promulgate rules and regulations to allow~~
28 ~~institutions to make emergency grants to students under the Arkansas~~
29 ~~Workforce Improvement Grant Program.~~

30
31 ~~6-82-1609. Award made to student.~~

32 ~~The Arkansas Workforce Improvement Grant is to be awarded directly to~~
33 ~~the student by an eligible postsecondary institution in the name of the~~
34 ~~student and in a manner to be determined by the Department of Higher~~
35 ~~Education.~~

36

1 ~~6-82-1610. Withdrawal and refunds.~~

2 ~~If a recipient of a Workforce Improvement Grant at any time withdraws~~
3 ~~from an approved private or public institution so that under the rules and~~
4 ~~regulations of that institution he or she is entitled to a refund of any~~
5 ~~tuition, fees, or other charges, the institution shall pay the refund to~~
6 ~~which the student may be entitled to the Department of Higher Education to~~
7 ~~the extent of any amount the department has paid to the student for that~~
8 ~~academic year.~~

9
10 SECTION 3. Arkansas Code §§ 6-82-1612 – 6-82-1614 are repealed.

11 ~~6-82-1612. Arkansas Workforce Improvement Grant Advisory Committee.~~

12 ~~(a) There is created the Arkansas Workforce Improvement Grant Advisory~~
13 ~~Committee.~~

14 ~~(b) The committee shall consist of eight (8) members to be appointed~~
15 ~~by the Director of the Department of Higher Education as follows:~~

16 ~~(1) Three (3) members who are representative of public or~~
17 ~~private two-year educational institutions;~~

18 ~~(2) Three (3) members who are representative of public or~~
19 ~~private four-year educational institutions;~~

20 ~~(3) The Executive Director of the Arkansas Association of Two-~~
21 ~~Year Colleges or his or her designee; and~~

22 ~~(4) The President of the Arkansas Association of Student~~
23 ~~Financial Aid Administrators.~~

24 ~~(c)(1) The committee members shall initially be appointed for~~
25 ~~staggered terms so that the terms of one (1) member from a two-year~~
26 ~~institution and one (1) member of a four-year institution expire each year~~
27 ~~for a period of three (3) years.~~

28 ~~(2) Thereafter, each member shall be appointed to serve a term~~
29 ~~of three (3) years.~~

30 ~~(d) Vacancies on the committee shall be filled by appointment of the~~
31 ~~director to serve out the remainder of the term of the vacated position.~~

32 ~~(e) A member of the committee shall not be entitled to compensation~~
33 ~~for his or her services and shall not receive expense reimbursement except~~
34 ~~from the institution employing the member.~~

35 ~~(f) The Department of Higher Education shall provide necessary staff~~
36 ~~to assist the committee with the range and diversity of its charge.~~

1 ~~(g)(1) The committee shall hold its first meeting within thirty (30)~~
2 ~~days after its appointment to organize as necessary to carry out its purposes~~
3 ~~as prescribed by this subchapter.~~

4 ~~(2) The director shall designate a person on the committee to~~
5 ~~call and preside at the first meeting.~~

6 ~~(h) Four (4) of the members of the committee shall constitute a quorum~~
7 ~~for the transaction of business.~~

8 ~~(i) The committee shall select by majority vote one (1) of its members~~
9 ~~to serve as chair and one (1) to serve as vice chair.~~

10 ~~(j)(1) The committee shall meet as necessary to carry out the duties~~
11 ~~of the committee.~~

12 ~~(2) Meetings may be called by the chair or as provided by the~~
13 ~~rules of the committee.~~

14 ~~(k) The committee shall provide advice to the department concerning~~
15 ~~the development of rules and regulations for the operation and administration~~
16 ~~of the Arkansas Workforce Improvement Grant Program.~~

17
18 ~~6-82-1613. Rules and regulations.~~

19 ~~(a)(1) The Department of Higher Education shall promulgate rules and~~
20 ~~regulations for the administration of the Arkansas Workforce Improvement~~
21 ~~Grant Program by the institutions of higher education consistent with the~~
22 ~~purposes and requirements of this subchapter.~~

23 ~~(2) The rules and regulations shall be reviewed by the Arkansas~~
24 ~~Workforce Improvement Grant Advisory Committee and approved by the Arkansas~~
25 ~~Higher Education Coordinating Board.~~

26 ~~(b) The rules and regulations shall include:~~

27 ~~(1) Student eligibility criteria based on the provisions of this~~
28 ~~subchapter;~~

29 ~~(2) The method for selecting grant recipients;~~

30 ~~(3) Rules for determining continuing eligibility;~~

31 ~~(4) Procedures for making payment to recipients;~~

32 ~~(5) Satisfactory academic standards; and~~

33 ~~(6) Other administrative procedures that may be necessary for~~
34 ~~the implementation and operation of the program.~~

35 ~~(c) The department shall file a report no later than December 1 of~~
36 ~~each year with the Legislative Council stating the total annual number of~~

1 recipients in the program and the total annual amount of grants awarded.

2
3 ~~6-82-1614. Funding.~~

4 ~~(a) A Workforce Improvement Grant shall be awarded contingent on the~~
5 ~~appropriation and availability of funds for the Arkansas Workforce~~
6 ~~Improvement Grant Program.~~

7 ~~(b)(1) The total funds available for the program shall be divided~~
8 ~~among all approved institutions.~~

9 ~~(2) The funds shall be divided pro rata based on each approved~~
10 ~~institution's percentage of enrollment of undergraduate students over twenty-~~
11 ~~five (25) years of age earning credit for the previous academic year.~~

12 ~~(3) Each institution shall be responsible for administering the~~
13 ~~program in accordance with rules and regulations as approved by the Arkansas~~
14 ~~Higher Education Coordinating Board.~~

15
16 SECTION 4. Arkansas Code Title 6, Chapter 82, Subchapter 17, is
17 repealed.

18 ~~Subchapter 17—Higher Education Opportunities Grant Program~~

19
20 ~~6-82-1701. Legislative intent.~~

21 ~~(a) The General Assembly finds that tuition assistance to low-income~~
22 ~~students is a key contributor to college and workforce success.~~

23 ~~(b) Tuition assistance will significantly enhance the ability of low-~~
24 ~~income students to obtain college degrees and be productive citizens of~~
25 ~~Arkansas and correspondingly benefit the State of Arkansas as a whole.~~

26
27 ~~6-82-1702. Definitions.~~

28 ~~As used in this subchapter:~~

29 ~~(1)(A) "Approved institution" means a public or private~~
30 ~~institution of higher education located in Arkansas that:~~

31 ~~(i) Is accredited by the Higher Learning Commission~~
32 ~~of the North Central Association of Colleges and Schools; or~~

33 ~~(ii) Certifies to the Department of Higher Education~~
34 ~~that its students are accepted for transfer at institutions accredited by an~~
35 ~~accrediting agency recognized by the federal Department of Education.~~

36 ~~(B) "Approved institution" does not include an institution~~

1 ~~of higher education that discriminates against applicants, students, or~~
2 ~~employees on the basis of race, color, religion, sex, age, handicap, or~~
3 ~~national origin consistent with the provisions of applicable state and~~
4 ~~federal law;~~

5 ~~(2) "Eligible student" means a student who meets the criteria~~
6 ~~set out by this subchapter and is deemed to be eligible by rules authorized~~
7 ~~by this subchapter and promulgated by the Department of Higher Education;~~

8 ~~(3) "Financial need" means the family income of program~~
9 ~~applicants as determined by the Department of Higher Education through~~
10 ~~evaluation of program applications and supporting documentation;~~

11 ~~(4) "Full-time undergraduate student" means a resident of~~
12 ~~Arkansas who attends an approved institution of higher education and is~~
13 ~~enrolled in at least twelve (12) credit hours or the equivalent the first~~
14 ~~semester and fifteen (15) credit hours or the equivalent thereafter, as~~
15 ~~defined by rule of the Department of Higher Education, in a program of study~~
16 ~~that leads to or is creditable toward an associate degree or a baccalaureate~~
17 ~~degree;~~

18 ~~(5) "High school graduate equivalent" means a student who passes~~
19 ~~a high school equivalency test in Arkansas;~~

20 ~~(6) "Part-time undergraduate student" means a resident of~~
21 ~~Arkansas who attends an approved institution of higher education and is~~
22 ~~enrolled in at least six (6) credit hours per semester or the equivalent but~~
23 ~~no more than twelve (12) credit hours or the equivalent the first semester~~
24 ~~and fifteen (15) credit hours or the equivalent thereafter, as defined by~~
25 ~~rule of the Department of Higher Education, in a program of study that leads~~
26 ~~to or is creditable towards an associate degree or a baccalaureate degree;~~

27 ~~and~~

28 ~~(7) "Qualified certificate program" means a program that is:~~

29 ~~(A) Offered by an approved institution of higher~~
30 ~~education;~~

31 ~~(B) Shorter in duration than an associate degree for which~~
32 ~~credit hours are awarded that are creditable towards an associate degree; and~~

33 ~~(C) Recognized by the United States Department of~~
34 ~~Education for financial aid purposes.~~

35
36 ~~6-82-1703. Establishment.~~

1 ~~The Higher Education Opportunities Grant Program is established to~~
2 ~~increase the opportunities of low income students to pursue higher education~~
3 ~~opportunities.~~

4
5 ~~6-82-1704. Eligibility.~~

6 ~~(a) Eligibility for the Higher Education Opportunities Grant Program~~
7 ~~shall be based on criteria established by rule of the Department of Higher~~
8 ~~Education.~~

9 ~~(b) The criteria established by the department shall include the~~
10 ~~following:~~

11 ~~(1) An applicant shall be a citizen of the United States or a~~
12 ~~permanent resident alien;~~

13 ~~(2) An applicant shall be a bona fide resident of the state as~~
14 ~~defined by the department for a minimum of twelve (12) months immediately~~
15 ~~before the date on which the student applies;~~

16 ~~(3) An applicant shall be accepted for admission in a qualified~~
17 ~~certificate program, associate degree program, or a baccalaureate program at~~
18 ~~an approved institution of higher education as a full-time or part-time~~
19 ~~student, as defined by the department;~~

20 ~~(4) An applicant shall certify that he or she is drug-free and~~
21 ~~shall pledge in writing on the application form to refrain from the use or~~
22 ~~abuse of illegal substances; and~~

23 ~~(5)(A) An applicant shall demonstrate financial need as~~
24 ~~determined by the department.~~

25 ~~(B) In determining financial need, the following criteria~~
26 ~~shall be used:~~

27 ~~(i) An applicant whose number in the household, as~~
28 ~~reported on the Free Application for Federal Student Aid, is "one (1)" shall~~
29 ~~have an average family adjusted gross income not exceeding twenty-five~~
30 ~~thousand dollars (\$25,000) per year at the time of application to the~~
31 ~~program;~~

32 ~~(ii) An applicant whose number in the household, as~~
33 ~~reported on the Free Application for Federal Student Aid, includes more than~~
34 ~~one (1) shall add an additional five thousand dollars (\$5,000) per additional~~
35 ~~number in the household up to ten (10) additional household members, as~~
36 ~~reported on the Free Application for Federal Student Aid to the base income~~

1 of twenty five thousand dollars (\$25,000); and
2 (iii) ~~The department shall have the authority to~~
3 ~~adjust these financial need family income requirements on an annual basis,~~
4 ~~using the federal Consumer Price Index to make any necessary changes. Other~~
5 ~~financial need criteria necessary for the selection of recipients, including~~
6 ~~those defined as emancipated or independent by federal student aid~~
7 ~~regulations, shall be established through rules issued by the department.~~

8
9 ~~6-82-1705. Recipients.~~

10 (a) ~~Students who receive grants under this subchapter shall be known~~
11 ~~as Higher Education Opportunities Grant recipients.~~

12 (b) ~~An eligible recipient shall receive a grant for one (1) academic~~
13 ~~year, renewable for up to a total cumulative award amount of four thousand~~
14 ~~dollars (\$4,000) if the recipient meets continuing eligibility criteria~~
15 ~~established by rule of the Department of Higher Education.~~

16 (c) ~~The amount of the annual grant awarded to each recipient shall be~~
17 ~~one thousand dollars (\$1,000) for full-time students and five hundred dollars~~
18 ~~(\$500) for part-time students.~~

19 (d) ~~No student's total financial aid package, including multiple~~
20 ~~scholarships, shall exceed the recognized cost of attendance at an~~
21 ~~institution of higher education.~~

22 (e) ~~Awards shall be applied only to a fall semester and a spring~~
23 ~~semester.~~

24
25 ~~6-82-1706. Rules.~~

26 (a) ~~The Department of Higher Education shall promulgate rules for the~~
27 ~~administration of the Higher Education Opportunities Grant Program consistent~~
28 ~~with the purposes and requirements of this subchapter.~~

29 (b) ~~The rules shall include:~~

30 (1) ~~Student eligibility criteria incorporating the requirements~~
31 ~~of this subchapter;~~

32 (2) ~~A method for selecting grant recipients;~~

33 (3) ~~A method for determining continuing eligibility;~~

34 (4) ~~Procedures for making payment to recipients; and~~

35 (5) ~~Other administrative procedures necessary for the~~
36 ~~implementation and operation of the program.~~

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~~6-82-1707. Administrative costs.~~

~~The Department of Higher Education is authorized to expend each year up to two percent (2%) of the amount appropriated for the Higher Education Opportunities Grant Program for data processing and other administrative costs of the program.~~

~~6-82-1708. Informational materials.~~

~~The Department of Education and the Department of Higher Education shall develop appropriate informational materials on the Higher Education Opportunities Grant Program for distribution to all Arkansas students in grades seven through twelve (7-12) each year as part of the packet of materials on precollegiate preparation distributed by the Department of Education.~~

~~6-82-1709. Program evaluation.~~

~~The Director of the Department of Higher Education may review and evaluate the operation of the Higher Education Opportunities Grant Program with regard to eligibility criteria and size of the grant award to ensure that the program's operation meets the intent of this legislation.~~

~~6-82-1710. Scholarship hold.~~

~~The Department of Higher Education may approve a scholarship hold for a student for a period of twenty four (24) months or less for the following reasons without limitation:~~

~~(1) A medical condition of the student or of a member of the student's immediate family that, on the basis of a physician's good faith judgment, necessitates that the student or the student's immediate family member be hospitalized or receive outpatient or home-based medical care or recuperate until released by the attending physician;~~

~~(2) A personal or family emergency that requires the student to:~~

~~(A) Attend the funeral of an immediate family member; or~~

~~(B) Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;~~

~~(3) Military service under § 6-61-112; or~~

~~(4)(A) A commitment of twelve (12) to twenty four (24) months~~

1 ~~for service in a national or international humanitarian project sponsored by~~
2 ~~a nonprofit corporation organized with a charitable or educational purpose.~~

3 ~~(B) The student's commitment shall be expressed in a~~
4 ~~written agreement with the nonprofit organization, including the terms of~~
5 ~~completion for the student's service on the related project.~~

6 ~~(C) The department shall release a scholarship hold if the~~
7 ~~department determines that the student did not complete the commitment under~~
8 ~~the written agreement.~~

9
10 SECTION 5. DO NOT CODIFY. An eligible student who is a Higher
11 Education Opportunities Grant recipient as of the effective day of this act
12 shall continue to receive the grant under § 6-82-1701 et seq., as it existed
13 on January 1, 2017.

14
15 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly of the State of Arkansas that the State of Arkansas is in
17 need of a more educated and skilled workforce; that the Arkansas Future Grant
18 Program created by this act will enable more Arkansas residents to obtain the
19 necessary skills and training to drive this state's economy forward; and that
20 this act is immediately necessary to ensure that the Arkansas Future Grant
21 Program is in place for the 2017-2018 academic year. Therefore, an emergency
22 is declared to exist, and this act being immediately necessary for the
23 preservation of the public peace, health, and safety shall become effective
24 on:

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,
27 the expiration of the period of time during which the Governor may veto the
28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is
30 overridden, the date the last house overrides the veto.

31
32 */s/Della Rosa*