

State of Arkansas
77th General Assembly
Regular Session, 1989
By: Sen. Hardin

SENATE BILL 499

"AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HIGHER EDUCATION TO PROVIDE FUNDS TO SUPPORT ASSOCIATE OF APPLIED SCIENCE COURSES AND OTHER PROGRAMS LEADING TO A DEGREE OFFERED BY PUBLIC INSTITUTIONS OF HIGHER EDUCATION AT OFF-CAMPUS LOCATIONS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1991; TO CREATE SERVICE AREAS FOR TWO-YEAR COLLEGES; ESTABLISH A FUNDING AUTHORIZATION FOR OFF-CAMPUS PROGRAMS OUTSIDE THE SERVICE AREA OF COLLEGE OFFERING PROGRAM; AND FOR OTHER PURPOSES."

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

SECTION 1. LEGISLATIVE INTENT. With funds appropriated by this Act, the Department of Higher Education shall provide funds to support associate of applied science courses and other courses leading to a degree offered at off-campus locations by four year, two-year, and community colleges. The public institutions of higher education in the State of Arkansas receive funding based on a formula developed by the State Department of Higher Education. Such formula is based partially on the number of "full time equivalent students served." Further, such formula provides that community colleges receive funding for any programs offered within the county in which the community college is located. Two year branch campuses are not funded for any off-campus programs. It is the purpose of this legislation to provide uniformity in the funding of off-campus courses.

SECTION 2. APPROPRIATIONS. There is hereby appropriated to the Department of Higher Education, to be payable from the Department of Higher Education Fund account pursuant to the terms of this Act for the biennial period ending June 30, 1991, the following:

ITEM NO.		FISCAL YEARS	
		1989-90	1990-91
01	OFF-CAMPUS INSTRUCTION	\$ 1,400,000	\$ 1,400,000

SECTION 3. SERVICE AREA. Two-year colleges shall have assigned a twenty-five (25) mile service radius around the main campus of such two-year college. Within that service radius, any off-campus programs offered by the two-year college shall be eligible to receive the funding established by the Department of Higher Education for community colleges serving their county in off-campus programs.

SECTION 4. FUNDING. For any off-campus program offered by a four-year college or university, two-year college, or community college outside their immediate service area, such program shall be reimbursed at a rate of fifty percent of the regular reimbursement for full time equivalent students within the service area of the college.

SECTION 5. AUTHORITY. At the invitation of a local school district, postsecondary adult vocational school, or community college, a four-year state universities, two-year colleges, and community colleges, are authorized to offer off-campus programs leading to a degree at mutually agreeable locations at rates of reimbursement provided by this Act. However, to enhance economic development and technical education instruction, fifty-percent (50%) of funds appropriated by this Act shall be expended for degree programs at vocational schools.

SECTION 6. TRANSFER AUTHORITY. Upon certification by the Director of the Director of the Department of Higher Education to the Chief Fiscal Officer of the State, funds and appropriations provided by this Act may be transferred to institutions of higher education to support the provisions of this Act for off-campus instruction. The State Board of Higher Education shall develop rules and regulations for distribution and use of the funds appropriated in this Act.

SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this Act shall be limited to the appropriation for such agency and funds

made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

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

SECTION 9. 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 10. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly that the State of Arkansas ranks well below the national average in the percentage of students pursuing associate of applied science degree programs in technical areas, a fact that tends to inhibit economic development of Arkansas. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989.