

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas
83rd General Assembly
Regular Session, 2001

As Engrossed: S4/3/01

A Bill

SENATE BILL 982

By: Senator Whitaker

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS GOVERNOR' S SCHOLARS PROGRAM; TO CHANGE THE ELIGIBILITY REQUIREMENTS; TO REDUCE THE NUMBER OF APPLICANTS; TO LOWER THE AMOUNT OF THE AWARD; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO AMEND THE ARKANSAS GOVERNOR' S SCHOLARS PROGRAM; TO CHANGE THE ELIGIBILITY REQUIREMENTS; TO REDUCE THE NUMBER OF APPLICANTS; AND TO LOWER THE AMOUNT OF THE AWARD.

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

SECTION 1. Arkansas Code 6-82-301 is amended to read as follows:

6-82-301. Legislative determinations.

The General Assembly recognizes that outstanding students are an essential ingredient for the economic and social benefit of the State of Arkansas. Benefits accrue to the state when a majority of National Merit Scholars, National Achievement Scholars, and superior students attend Arkansas institutions of higher learning and remain in the state.

SECTION 2. Arkansas Code 6-82-302 is amended to read as follows:

6-82-302. Definitions.

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

(1) "Approved institution" means a public or private college or

1 uni versi ty:

2 (A) Dedicated to educational purposes, located in
3 Arkansas, or located out of state and educating Arkansas residents in
4 dentistry, optometry, veterinary medicine, podiatry, chiropractic, or
5 osteopathy under agreement with the Board of Control for Southern Regional
6 Education, accredited by an accrediting agency certified and recognized by
7 the United States Department of Education or the Division of Agency
8 Evaluation and Institutional Accreditation, or a school giving satisfactory
9 assurance that it has the potential for accreditation and is making progress
10 which, if continued, will result in its achieving accreditation;

11 (B) Which does not discriminate in the admission of
12 students on the basis of race, color, religion, sex, or national origin; and

13 (C) Which subscribes to the principle of academic freedom;

14 (2) "Department" means the Department of Higher Education;

15 (3) "Full-time student" means a resident of Arkansas who is in
16 attendance at an approved private or public institution and who is enrolled
17 in at least twelve (12) ~~semester hours~~ credit hours the first semester and
18 fifteen (15) hours thereafter; or other reasonable academic equivalent as
19 defined by the department;

20 (4) "Undergraduate student" means an individual who is enrolled
21 in a postsecondary educational program which leads to or is directly
22 creditable toward the individual's first baccalaureate degree;

23 (5) "Eligible student" means a resident of the State of Arkansas
24 as defined by the Department of Higher Education who is eligible for
25 admission as a full-time student and who declares an intent to matriculate in
26 an approved institution in Arkansas;

27 (6) "Scholarship" means an award to an eligible student for
28 matriculation in an approved institution in the State of Arkansas;

29 (7) "Competitive examination" means a standardized examination
30 measuring achievement which is administered annually on a specified date and
31 at a specified location and which is announced publicly;

32 (8) "Academic ability" means the intellectual standing of a
33 student. In determining superior academic ability, the department shall
34 examine the student's high school records, competitive examination scores,
35 and demonstrated leadership capabilities; and

36 (9) (A) "Extraordinary academic ability" means:

1 (i)(a) Achievement of a score of 32 or above on the
 2 American College Test (ACT), ~~or~~ 1410 or above on the Scholastic Aptitude Test
 3 (SAT); and

4 (b) Achievement of a high school grade point
 5 average of 3.5 or above on a 4.0 scale; or

6 (ii) ~~selection~~ Selection as a finalist in either the
 7 National Merit Scholarship competition or the National Achievement
 8 Scholarship competition conducted by the National Merit Scholarship
 9 Corporation.

10 (B) For students graduating after December 31, 2001, the
 11 American College Test scores and Scholastic Aptitude Test scores shall be
 12 earned by December 31 prior to the application deadline in order to be
 13 considered by the department for a scholarship award.

14
 15 SECTION 3. Arkansas Code 6-82-304 is amended to read as follows:

16 6-82-304. Administration - Authority of department.

17 The Department of Higher Education shall administer the Arkansas
 18 Governor's Scholars Program and shall have the following authority and
 19 responsibility with respect to the program:

20 (1) To prepare application forms or such other forms as the
 21 department shall deem necessary to properly administer and carry out the
 22 purposes of this subchapter;

23 (2) To establish and consult as necessary with an advisory
 24 committee representing the public and private sectors of postsecondary
 25 education and secondary schools in determining guidelines and regulations for
 26 the administration of this program;

27 (3) To select recipients of scholarships awarded pursuant to the
 28 provisions of this subchapter;

29 (4) To establish the procedures for payment of scholarships to
 30 recipients; ~~and~~

31 (5) To set a termination date for the acceptance of
 32 applications; ~~and~~

33 (6) To review and evaluate the operation of the program with
 34 regard to eligibility criteria and size of the scholarship award to ensure
 35 that the program's operation meets the intent of this legislation; and

36 (7) To determine the necessary procedures for the awarding of

1 scholarships should the number of eligible applicants exceed the funds
2 available.

3
4 SECTION 4. Arkansas Code 6-82-305 is amended to read as follows:

5 6-82-305. Recipients known as Arkansas Governor's Scholars or Arkansas
6 Governor's Distinguished Scholars.

7 (a) Students receiving scholarships shall be known as Arkansas
8 Governor's Scholars.

9 (b) Arkansas Governor's Scholarship recipients ~~Students~~ who exhibit
10 extraordinary academic ability shall be known as Arkansas Governor's
11 Distinguished Scholars.

12
13 SECTION 5. Arkansas Code 6-82-306 is amended to read as follows:

14 6-82-306. Eligibility.

15 (a) The Arkansas Governor's Scholars Program scholarships are to be
16 awarded to those students who demonstrate the highest capabilities for
17 successful college study.

18 (b) A student is eligible for this scholarship if:

19 (1) The individual has met the admission requirements and is
20 accepted for enrollment as a full-time undergraduate student in an eligible
21 public or private college or university in Arkansas;

22 (2) The individual is a bona fide resident of the state, as
23 defined by the department. Preference will be given to students who plan to
24 enter college at the beginning of the academic year directly following their
25 last year of high school attendance;

26 (3) The individual is a citizen of the United States or a
27 permanent resident alien; ~~and~~

28 (4)(A) The applicant has demonstrated proficiency in the
29 application of knowledge and skills in reading and writing literacy and
30 mathematics by passing the end of course examination as may be developed by
31 the Department of Education, and as may be designated by the Department of
32 Higher Education for this purpose;

33 (B) "End of course" examination shall mean those
34 examinations defined in § 6-15-419(4).

35 ~~(4)(5)(A)~~ The individual satisfactorily meets the qualifications
36 of superior academic ability as established by the department with such

criteria consisting of value points for academic achievement and leadership including but not limited to:

(i) ACT or SAT score or National Merit Finalist or National Achievement Finalist;

(ii) High school grade point average;

(iii) Rank in high school class; and

(iv) Leadership in school, community, and employment;

(B) The Department of Higher Education shall have the authority to alter the weight assigned to the individual criterion to more appropriately meet the needs of the state as determined by the Arkansas Higher Education Coordinating Board.

(c) The scholarship shall be weighed on the factors of achievement, ability, and demonstrated leadership capabilities.

(d) Students who are selected as Arkansas Governor's Scholars who also exhibit extraordinary academic ability as defined in this subchapter shall be designated as Arkansas Governor's Distinguished Scholars.

SECTION 6. Arkansas Code 6-82-308 is amended to read as follows:

6-82-308. Number and geographic distribution of scholarships.

(a) ~~The~~ If sufficient funds are available, effective for students receiving their initial awards beginning in fall, 2001, the number of initial scholarship awards to eligible high achievers shall not exceed ~~three hundred~~ (300) two hundred seventy five (275) each year, to be distributed as follows:

(1) Up to two hundred fifty (250) Governor's Distinguished Scholarships capped at thirteen thousand five hundred dollars (\$13,500) per year; and

(2) Twenty five (25) Governor's Scholarships at four thousand dollars (\$4,000) per year. ~~However, one (1) such award shall be made to a student in each of the seventy five (75) counties, and the remainder shall be made to students from the state at large.~~

(b)(1) Effective for students receiving their initial awards beginning in fall, 2002, up to two hundred fifty (250) initial awards may be made provided if, at the end of calendar year 2001 and each year thereafter, the Department of Higher Education can demonstrate, based on economic projections and revenue forecasts relative to the number of Academic Challenge recipients

then receiving the scholarship, that sufficient funds are available for that purpose.

(2) A report of the same shall be submitted to the House and Senate Interim Committees on Education and the Legislative Council for review prior to obligating the funds.

(3) Should a shortfall of funds be projected, the department shall promulgate regulations for the priority funding of these scholarships and submit these proposed regulations to the Arkansas Higher Education Coordinating Board for a public hearing and to the Legislative Council through its Rules and Regulations Subcommittee for review before implementing such regulations.

SECTION 7. Arkansas Code 6-82-311 is amended to read as follows:

6-82-311. Term, renewal, and allocation of scholarships.

(a) A scholarship may be awarded annually for a period not to exceed an academic year.

(b)(1) The scholarships shall correspond to academic terms, semesters, quarters, or equivalent time periods at the eligible institutions.

(2) In no instance may the entire amount of the grant for an educational year be paid to or on behalf of students in advance.

~~(c)(1) The~~ Provided sufficient funds are available, the scholarship shall be awarded for one (1) academic year and renewed annually for three (3) additional academic years if the following conditions for renewal are met:

(1) The student maintains not less than a 3.0 grade point average on a 4.0 scholastic grading scale and meets other criteria as established by the Department of Higher Education;

~~(2) However, effective after July 1, 1999, a~~ A student receiving the additional scholarship under § 6-82-312(b) must maintain maintains not less than a 3.25 grade point average on a 4.0 scholastic grading scale;

(3) The recipient has completed a total of at least twenty-seven (27) hours during the first full academic year and, if applicable, a total of at least thirty (30) hours per academic year thereafter;

(4) If the student is entering the junior year, the student has taken the standardized rising junior test provided for in § 6-61-114; and

(5) The recipient has met any other continuing eligibility criteria established by the Department of Higher Education.

1
2 *SECTION 8.* Arkansas Code 6-82-312 is amended to read as follows:

3 6-82-312. Scholarship amounts.

4 (a) Scholarships awarded to new recipients who enroll in college as
5 first-time entering freshmen after July 1, 1995, shall be in the amount of
6 four thousand dollars (\$4,000) per year, provided funds are available.

7 (b) ~~Students~~ Provided sufficient funds are available, students who are
8 were first-time entering freshmen after July 1, 1997 but before July 1, 2001,
9 and who ~~exhibit~~ exhibited extraordinary academic achievement shall be
10 awarded, in addition to the award in subsection (a) of this section, an
11 amount per year which when combined with the award in subsection (a) of this
12 *section equals tuition, room and board, and mandatory fees charged in*
13 *academic year 2000-2001 for a regular full-time course load by the approved*
14 *institution* in which the recipient is enrolled.

15 (c) Provided sufficient funds are available, students who are first-
16 time entering freshmen after July 1, 2001, and who exhibit extraordinary
17 academic achievement shall be awarded, in addition to the award in subsection
18 (a) of this section, an amount per year which, when combined with the award
19 in subsection (a) of this section, equals the lesser of:

20 (1) Ten thousand dollars (\$10,000); or

21 (2) Tuition, room and board, and mandatory fees charged for a
22 regular full-time course load in academic year 2000-2001 by the approved
23 institution in which the recipient is enrolled.

24
25 *SECTION 9. EMERGENCY CLAUSE.* It is found and determined by the
26 General Assembly that the state does not have the funds to support the
27 Arkansas Governor's Scholars Program in its current form; and that applicants
28 graduating after December 31, 2000, will experience uncertainty regarding
29 eligibility for the Arkansas Governor's Scholars Program; and that many
30 applicants may be delayed in beginning their post-secondary education unless
31 changes in the scholarship program become effective in sufficient time to
32 allow scholarship awards to be made to those students needing to make
33 enrollment decisions for the 2001-2002 academic year. Therefore, an
34 emergency is declared to exist and this act being immediately necessary for
35 the preservation of the public peace, health and safety shall become
36 effective on April 30, 2001.

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/s/ Whi taker