

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
85th General Assembly
Regular Session, 2005

As Engrossed: H3/21/05

A Bill

HOUSE BILL 2746

By: Representative Mahony

For An Act To Be Entitled

*AN ACT TO REQUIRE STUDENTS IN GRADE ELEVEN (11)
TO TAKE THE AMERICAN COLLEGE TEST; AND FOR OTHER
PURPOSES.*

Subtitle

*AN ACT TO REQUIRE STUDENTS IN GRADE
ELEVEN (11) TO TAKE THE AMERICAN COLLEGE
TEST.*

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

SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 401 is amended to read as follows:

6-18-401. Title.

This subchapter shall be known and may be cited as the "Arkansas American College Test Assessment Assistance ~~Pilot~~ Program Act of 1999".

6-18-402. Purpose.

(a) The purpose of this subchapter is to serve as a legislative charter and guidance for the continuation of the establishment of pilot locations, organization, and administration of a program designed to improve the academic preparation of public high school students for postsecondary education throughout the state.

(b) It is the intent of the General Assembly that the Arkansas American College Test Assessment Assistance ~~Pilot~~ Program continue as set forth in this subchapter.



6-18-403. Definitions.

As used in this subchapter:

(1) "American College Test assessment" means a test of student educational development that measures student readiness for future learning produced by ACT, Incorporated, that may be used by an institution of higher education as a part of its admissions process;

(2) "American College Test Fee Waiver Program" means the assessment fee waiver program established and administered by ACT, Incorporated;

(3) "Board" means the State Board of Education;

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

(5) "Director" means the Director of the Department of Education; and

(6) "Program" means the Arkansas American College Test Assessment Assistance ~~Pilot~~ Program.

6-18-404. Creation - Fees - Rules.

(a)(1) The Arkansas American College Test Assessment Assistance ~~Pilot~~ Program is hereby established, to be administered by the Director of the Department of Education.

(2) ~~Each academic year, the Department of Education shall gradually increase the number of pilot locations allowed to participate in the program until all or substantially all~~ All school districts in the state with students in grades eleven (11) and twelve (12) ~~are allowed to~~ shall participate in the program.

(b)(1) Contingent upon legislative appropriations, the state will pay all or part of the American College Test assessment registration fee.

(2) The State Board of Education shall create a sliding scale based on family income.

(c) The board is authorized to promulgate rules and regulations necessary to implement this subchapter, including the criteria for waiving the American College Test assessment fee.

6-18-405. Participation.

Every public high school student ~~in the pilot locations who is~~ enrolled

1 in the core curriculum established pursuant to § 6-61-217 or Smart Core as
2 established by the rules of the State Board of Education shall take the
3 American College Test assessment prior to the completion of the spring
4 semester of his or her junior year ~~unless the student's parents, guardians,~~
5 ~~or persons in loco parentis request in writing that the student not~~
6 ~~participate.~~

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8 6-18-406. Fee waiver request.

9 (a) Public high school counselors shall request a waiver of the
10 American College Test assessment fee for any student for whom a waiver would
11 be appropriate based on the guidelines for waivers set forth by ACT,
12 Incorporated.

13 (b) Public high school counselors shall report to the Department of
14 Education the number of students taking the American College Test assessment
15 during his or her junior year.

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17 6-18-407. Fee waiver eligibility - Review committee.

18 (a) The American College Test assessment fee may be waived or may be
19 paid by the state, or the school district if a student can demonstrate that
20 the payment of the fee would cause a financial hardship upon the student or
21 his or her family, if the American College Test provides such waivers or if
22 the state or school districts have funds available for that purpose.

23 (b) To qualify for the waiver, the student and the student's parents,
24 guardians, or persons in loco parentis shall petition the public high school
25 principal in writing prior to the start of the spring semester of the
26 student's junior year.

27 (c) Upon receipt of the request for waiver of the fee, the principal
28 shall establish a committee composed of the following school personnel to
29 evaluate and accept or reject the request for a waiver:

- 30 (1) The high school principal;
31 (2) The high school counselor; and
32 (3) Two (2) high school teachers.

33 (d) The committee shall meet at least thirty (30) days prior to the
34 first administration of the American College Test assessment during the
35 spring semester to review the requests and shall issue a written notice of
36 the committee's recommendation to the student and the student's parents,

1 guardians, or persons in loco parentis.

2 (e) Upon receipt of notice of denial of the waiver request, the
3 student or the student's parents, guardians, or persons in loco parentis may
4 petition the superintendent for a review of the denial.

5 (f) The superintendent's written decision on the request for review
6 shall be considered the final decision regarding the fee waiver request.

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8 6-18-408. Donations and grants.

9 (a) The awards granted under the provisions of this subchapter may be
10 funded by donations, grants, or legislative appropriation.

11 (b) All donations, grants, and appropriations received shall be
12 accounted for by the Department of Education.

13 (c) The Director of the Department of Education may solicit and
14 receive donations and grants for the purpose of ~~making awards~~ funding
15 Arkansas American College Test Assessment Assistance Program.

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17 /s/ Mahony
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