

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/23/05

A Bill

SENATE BILL 940

5 By: Senators J. Jeffress, Argue
6 By: Representative Mahony
7

For An Act To Be Entitled

10 AN ACT TO AMEND THE FINANCIAL ELIGIBILITY
11 REQUIREMENTS FOR THE ARKANSAS ACADEMIC CHALLENGE
12 SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO AMEND THE FINANCIAL
15 ELIGIBILITY REQUIREMENTS FOR THE
16 ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP
17 PROGRAM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 6-82-1002 is amended to read as follows:
24 6-82-1002. Definitions.

25 For purposes of this subchapter, the following terms shall be defined
26 as indicated:

27 (1)(A) *"Approved institution" means a ~~public or private college,~~*
28 *~~university, or nursing school located in Arkansas that is approved by the~~*
29 *~~Arkansas State Board of Nursing and only under the conditions set forth in §~~*
30 *~~6-82-1007 or accredited by the Commission on Institutions of Higher Education~~*
31 *~~of the North Central Association or that certifies to the Department of~~*
32 *~~Higher Education that its students are accepted for transfer at institutions~~*
33 *~~accredited by the commission.~~*

34 (B) *~~Furthermore, an approved institution shall not~~*
35 *~~discriminate against applicants, students, or employees on the basis of race,~~*
36 *~~color, religion, sex, age, disability, or national origin, consistent with~~*



1 ~~the provisions of applicable state and federal law~~ public-supported or
2 private, non-profit postsecondary institution with its primary headquarters
3 located in Arkansas and is eligible to receive Title IV federal student aid
4 funds or any nursing school with its primary headquarters located in Arkansas
5 and is eligible to participate in Title IV federal student aid programs.

6 (B) Furthermore, an approved institution shall not
7 discriminate against applicants, students, or employees on the basis of race,
8 color, religion, sex, age, disability, or national origin, consistent with
9 the provisions of applicable state and federal law;

10 (2) "Eligible student" means any student who meets the criteria
11 set out by this subchapter and who is deemed to be eligible by rules and
12 regulations authorized by this subchapter and promulgated by the Department
13 of Higher Education;

14 (3) "Financial need" means the family income of program
15 applicants as determined by the Department of Higher Education through
16 evaluation of program applications and supporting documentation;

17 (4)(A) "Full-time undergraduate student" means a resident of
18 Arkansas who attends an approved institution of higher education and who is
19 enrolled for at least twelve (12) credit hours the first semester and fifteen
20 (15) hours thereafter or the equivalent, as defined by the Department of
21 Higher Education, in a program of study that leads to or is creditable toward
22 a baccalaureate degree, an associate degree in nursing, or a nursing school
23 diploma+.

24 (B) A recipient receiving an Arkansas Academic Challenge
25 Scholarship for the eighth semester shall not be required to be enrolled in
26 fifteen (15) hours and shall be considered a "full-time undergraduate
27 student" if the recipient is enrolled in the appropriate number of course
28 credit hours to earn a degree at the end of that semester.

29 (5) "Recipient" means an applicant awarded a scholarship funded
30 through the Arkansas Academic Challenge Scholarship Program;

31 (6) "Tuition" means charges levied for attendance at an eligible
32 institution of higher education, including mandatory fees charged to all
33 full-time students by an approved institution; and

34 (7) "Unemancipated child" or "unemancipated children" means a
35 dependent child or dependent children as defined by the United States
36 Department of Education for student aid purposes.

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2 SECTION 2. Arkansas Code § 6-82-1005(b)(6)(D), concerning the Arkansas
3 Academic Challenge Scholarship Program is amended to read as follows:

4 (D)(i) The applicant demonstrates financial need as
5 defined by the department.

6 (ii) In calculating financial need for applicants
7 who graduate from an Arkansas high school after December 31, 1998, but before
8 January 1, 2001, the following criteria shall be used:

9 (a) An applicant whose family includes one (1)
10 unemancipated child shall have average family adjusted gross income over the
11 previous two (2) years not exceeding seventy thousand dollars (\$70,000) per
12 year at the time of application to the program;

13 (b) An applicant whose family includes two (2)
14 unemancipated children shall have average family adjusted gross income over
15 the previous two (2) years not exceeding seventy-five thousand dollars
16 (\$75,000) per year at the time of application to the program;

17 (c) An applicant whose family includes three
18 (3) or more unemancipated children shall have average family adjusted gross
19 income over the previous two (2) years not exceeding eighty thousand dollars
20 (\$80,000) per year at the time of application to the program, plus for
21 families with more than three (3) unemancipated children, an additional five
22 thousand dollars (\$5,000) per year for each additional child;

23 (d) Any applicant whose family includes more
24 than one (1) unemancipated child enrolled full time at an approved
25 institution of higher education shall be entitled to an additional ten
26 thousand dollars (\$10,000) of adjusted gross income for each additional child
27 when the department calculates financial need; and

28 (e) If the applicant is an adopted child who
29 was at least twelve (12) years of age at the time of adoption and if the
30 applicant's family includes unemancipated adopted children who were at least
31 twelve (12) years of age at the time of adoption, the adoptive family shall
32 be entitled to an additional ten thousand dollars (\$10,000) of adjusted gross
33 income per adopted unemancipated child.

34 (iii) In calculating financial need for applicants
35 who graduate from an Arkansas high school after December 31, 2000, but before
36 December 31, 2004, the following criteria shall be used:

1 (a) An applicant whose family includes one (1)
2 unemancipated child shall have average family adjusted gross income over the
3 previous two (2) years not exceeding fifty thousand dollars (\$50,000) per
4 year at the time of application to the program;

5 (b) An applicant whose family includes two (2)
6 unemancipated children shall have average family adjusted gross income over
7 the previous two (2) years not exceeding fifty-five thousand dollars
8 (\$55,000) per year at the time of application to the program;

9 (c) An applicant whose family includes three
10 (3) or more unemancipated children shall have average family adjusted gross
11 income over the previous two (2) years not exceeding sixty thousand dollars
12 (\$60,000) per year at the time of application to the program, plus for
13 families with more than three (3) unemancipated children, an additional five
14 thousand dollars (\$5,000) per year for each additional child; and

15 (d) Any applicant whose family includes more
16 than one (1) unemancipated child enrolled full time at an approved
17 institution of higher education shall be entitled to an additional ten
18 thousand dollars (\$10,000) of adjusted gross income for each additional child
19 when the department calculates financial need.

20 (iv) In calculating financial need for applicants
21 who graduate from an Arkansas high school on or after December 31, 2004, a
22 Free Application for Federal Student Aid or a subsequent application required
23 by the United States Department of Education for federal financial aid shall
24 be filed by the applicant or other proof of family income as defined by the
25 Department of Higher Education and the following criteria shall be used:

26 (a) An applicant whose family includes one (1)
27 unemancipated child shall have average family adjusted gross income not
28 exceeding sixty thousand dollars (\$60,000) per year at the time of
29 application to the program;

30 (b) An applicant whose family includes two (2)
31 unemancipated children shall have average family adjusted gross income not
32 exceeding sixty-five thousand dollars (\$65,000) per year at the time of
33 application to the program;

34 (c) An applicant whose family includes three
35 (3) or more unemancipated children shall have average family adjusted gross
36 income not exceeding seventy thousand dollars (\$70,000) per year at the time

1 of application to the program, plus for families with more than three (3)
2 unemancipated children, an additional five thousand dollars (\$5,000) per year
3 for each additional child; and

4 (d) Any applicant whose family includes more
5 than one (1) unemancipated child enrolled full time at an approved
6 institution of higher education shall be entitled to an additional ten
7 thousand dollars (\$10,000) of adjusted gross income for each additional child
8 when the department calculates financial need.

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10 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
11 General Assembly of the State of Arkansas that the financial eligibility
12 requirements for the Arkansas Academic Challenge Scholarship Program must be
13 clarified; that clarification of the eligibility requirements for financial
14 need will help more Arkansas students enter and complete their post-secondary
15 education; and that this act is immediately necessary to prevent student
16 hardships and provide stability for the 2005-2006 school year. Therefore, an
17 emergency is declared to exist and this act being immediately necessary for
18 the preservation of the public peace, health, and safety shall become
19 effective on:

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

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

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

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27 /s/ J. Jeffress
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