

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

# A Bill

SENATE BILL 985

5 By: Senators Broadway, Bisbee  
6 By: Representative Mahony  
7

## For An Act To Be Entitled

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9  
10 AN ACT TO REPEAL THE SECOND EFFORT SCHOLARSHIP  
11 PROGRAM; AND FOR OTHER PURPOSES.  
12

### Subtitle

13  
14 AN ACT TO REPEAL THE SECOND EFFORT  
15 SCHOLARSHIP PROGRAM.  
16  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Title 6, Chapter 82, Subchapter 11 is  
21 repealed.

22 ~~6-82-1101. Creation—Purpose.~~

23 ~~The General Assembly hereby recognizes the importance to Arkansas of~~  
24 ~~the General Educational Development Program for Arkansans desiring to~~  
25 ~~complete the high school degree and go on to postsecondary education.~~  
26 ~~Arkansas students who complete the General Educational Development Program~~  
27 ~~and pass the General Educational Development Test are commended for their~~  
28 ~~initiative and persistence. Those who succeed in this endeavor should also~~  
29 ~~be encouraged to enroll in a postsecondary education program. To that end,~~  
30 ~~there is hereby established the Second Effort Scholarship Program to reward~~  
31 ~~the top ten (10) scorers each year on the General Educational Development~~  
32 ~~Test with a scholarship to an Arkansas postsecondary school or college.~~  
33

34 ~~6-82-1102. Definitions.~~

35 ~~For purposes of this subchapter, the following terms shall be defined~~  
36 ~~as indicated:~~



1           ~~(1) "Approved institution" means any public or private school or~~  
 2 ~~college or any public postsecondary vocational and technical school located~~  
 3 ~~in Arkansas which awards postsecondary certificates, degrees, or diplomas.~~  
 4 ~~Further, such institution shall not discriminate against applicants,~~  
 5 ~~students, or employees on the basis of race, color, religion, sex, age,~~  
 6 ~~disability, or national origin, consistent with the provisions of applicable~~  
 7 ~~state and federal law;~~

8           ~~(2) "Undergraduate student" means a resident of Arkansas who~~  
 9 ~~attends a postsecondary school or college and is enrolled for at least three~~  
 10 ~~(3) credit hours per semester or the equivalent, as defined by the Department~~  
 11 ~~of Higher Education, in a program of study which leads to a postsecondary~~  
 12 ~~certificate, degree, or diploma;~~

13           ~~(3) "Eligible student" means any student who meets the criteria~~  
 14 ~~set out in this subchapter and is deemed to be eligible by rules and~~  
 15 ~~regulations authorized by this subchapter and promulgated by the Department~~  
 16 ~~of Higher Education;~~

17           ~~(4)(A) "Tuition" means charges levied for attendance at an~~  
 18 ~~eligible institution.~~

19           ~~(B) For purposes of this subchapter, tuition charges shall~~  
 20 ~~not include any fees charged or used for student activities, including any~~  
 21 ~~student athletic fee.~~

22  
 23           ~~6-82-1103. Eligibility—Number of scholarships.~~

24           ~~(a) Eligibility for the Second Effort Scholarship Program shall be~~  
 25 ~~based on the criteria set forth in this section as well as program rules and~~  
 26 ~~regulations adopted pursuant to this subchapter by the Department of Higher~~  
 27 ~~Education.~~

28           ~~(b) A student shall be eligible for an award from this program if he~~  
 29 ~~or she meets all of these criteria:~~

30           ~~(1) The recipient shall be at least eighteen (18) years of age~~  
 31 ~~or a former member of a high school class which has graduated;~~

32           ~~(2) The recipient shall have been a resident of the State of~~  
 33 ~~Arkansas for at least twelve (12) months prior to successful completion of~~  
 34 ~~the General Educational Development Test;~~

35           ~~(3) The recipient must be a citizen of the United States or be a~~  
 36 ~~permanent resident alien;~~

1           ~~(4) The recipient must be accepted for admission at an approved~~  
 2 ~~postsecondary school or college as a freshman, as defined by the Department~~  
 3 ~~of Higher Education, and must enroll in an approved institution within~~  
 4 ~~eighteen (18) months following passage of the General Educational Development~~  
 5 ~~Test;~~

6           ~~(5) The recipient must have passed the General Educational~~  
 7 ~~Development Test in the calendar year prior to application for the~~  
 8 ~~scholarship; and~~

9           ~~(6)(A) The recipient must have scored in the top ten (10) of all~~  
 10 ~~Arkansans who took the General Educational Development Test in the calendar~~  
 11 ~~year prior to application for the scholarship, beginning with test takers in~~  
 12 ~~1991, as certified to the Department of Higher Education by the Adult~~  
 13 ~~Education Section of the Department of Workforce Education.~~

14           ~~(B) Provided, however, that the Department of Higher~~  
 15 ~~Education is authorized to award a General Educational Development~~  
 16 ~~scholarship to an otherwise eligible student who scored in the top twenty-~~  
 17 ~~five (25) on the previous calendar year's General Educational Development~~  
 18 ~~Test if all test takers scoring above the applicant on the General~~  
 19 ~~Educational Development Test;~~

20                           ~~(i) Have either received a scholarship;~~

21                           ~~(ii) Have not applied by the application deadline;~~

22 ~~or~~

23                           ~~(iii) Are otherwise ineligible to receive a~~  
 24 ~~scholarship.~~

25           ~~(c) In no case, however, shall the Department of Higher Education~~  
 26 ~~award more than ten (10) scholarships per year.~~

27  
 28       ~~6-82-1104. Amount and duration of scholarship—Funding.~~

29           ~~(a) Each recipient shall receive a scholarship for one (1) academic~~  
 30 ~~year or its equivalent for part time students, as defined by the Department~~  
 31 ~~of Higher Education. The scholarship shall be renewable for up to three (3)~~  
 32 ~~academic years, or their equivalent for part time students, if the recipient~~  
 33 ~~meets continuing eligibility criteria established by the department.~~

34           ~~(b)(1) The amount of the annual scholarship shall be the lesser of one~~  
 35 ~~thousand dollars (\$1,000) or the annual tuition charged by the approved~~  
 36 ~~institution in which the recipient is enrolled.~~

1           ~~(2) For part-time students who are recipients, the amount of the~~  
2 ~~annual scholarship shall be prorated on the basis of the number of credit~~  
3 ~~hours enrolled each term such that the recipient receives the maximum~~  
4 ~~equivalent of two hundred fifty dollars (\$250) per three (3) credit hours~~  
5 ~~each term up to a maximum of one thousand dollars (\$1,000).~~

6           ~~(3) Tuition shall mean the charges defined in § 6-82-1102(4).~~

7           ~~(c) Scholarships shall be awarded to eligible recipients contingent on~~  
8 ~~the appropriation of funds for this purpose to the department.~~

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10           ~~6-82-1105. Rules and regulations—Review—Certified list.~~

11           ~~(a) The Department of Higher Education is authorized by this~~  
12 ~~subchapter to develop and promulgate rules and regulations for the~~  
13 ~~administration of this program, consistent with the purposes and requirements~~  
14 ~~of this subchapter.~~

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

16           ~~(1) Student eligibility criteria based on the provisions of this~~  
17 ~~subchapter;~~

18           ~~(2) The method for selecting scholarship recipients;~~

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

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

21           ~~(5) Such other administrative procedures which may be necessary~~  
22 ~~for the implementation and operation of the program.~~

23           ~~(c) The Director of the Department of Higher Education is authorized~~  
24 ~~to review and evaluate the operation of the program to ensure that the~~  
25 ~~program's operation meets the intent of this legislation.~~

26           ~~(d) Beginning in 1992, the Adult Education Section of the Department~~  
27 ~~of Workforce Education is directed to provide to the Department of Higher~~  
28 ~~Education by February 1 each year a certified list of the twenty-five (25)~~  
29 ~~top scorers on the General Educational Development Test administered in the~~  
30 ~~previous calendar year.~~

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32           SECTION 2. Arkansas Code § 6-82-1614 is amended to read as follows:

33           6-82-1614. Funding.

34           (a) A Workforce Improvement Grant shall be awarded contingent on the  
35 appropriation and availability of funds for the Arkansas Workforce  
36 Improvement Grant Program.

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

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

6 (3) Each institution shall be responsible for administering the  
7 program in accordance with rules and regulations as approved by the Arkansas  
8 Higher Education Coordinating Board.

9 (c)(1) The department may use funds appropriated for the Second Effort  
10 Scholarship Program, § 6-82-1101 et seq., and other available funds to fund  
11 the Arkansas Workforce Improvement Grant Program.

12 (2) Any person who received a scholarship from the Second Effort  
13 Scholarship Program, § 6-82-1101 et seq. prior to the repeal of the program  
14 in 2005 shall continue to be eligible to receive a Second Effort Scholarship  
15 Program, § 6-82-1101 et seq. under the same conditions as were allowed  
16 immediately prior to the repeal of the program so long as the person  
17 continues to meet the eligibility requirements of the program as it existed  
18 immediately prior to its repeal.

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